

# THE EGYPTIAN ENIGMA

1890—1928

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# THE EGYPTIAN ENIGMA

## 1890—1928

BY J. E. MARSHALL

LATE JUDGE IN THE EGYPTIAN COURT OF APPEAL

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**TO THE MEMORY OF  
SIR LEE STACK,  
AND OTHER VICTIMS OF EGYPTIAN MISRULE**

## PREFACE

THE conception of this book was due to the insistence of my friends. They said that I had lived through a very interesting period of Egyptian history, and that I had had exceptional opportunities of observing men and events. That it was my duty to set down in writing what I had seen and heard. I am afraid that in the aftermath of retirement the idea did not greatly commend itself to me. Years of strenuous work and anxiety had left me weary and disinclined for any such task. As a man grows older perhaps he lives more and more with the past. That may also have had something to do with the matter. Once I had begun I found there was no lack of material at my command. Incident upon incident surged up in my mind, and the difficulty was to separate the essential from the superfluous and the redundant. I had a tale to tell, but how was I to tell it? Political history anywhere, baldly told, is as dry as the bones which bleach in the Egyptian desert. That history as I saw and understood it I wished to relate, but in such a way as would bring it before my readers as a living picture of the Egypt of my time. I have endeavoured to make it of such human interest that it will not deter the general reader from deriving pleasure from its pages, nor the political student from finding food for thought and, peradventure, instruction too. Egypt has gone through many phases in her long history, but the more she has changed, the more she has remained the same thing. The froth has always come to the surface and been

blown away in due course by the wind. The man in the blue *galabieh*, the tiller of the soil, has remained like the soil itself, unchanged. It is probably due to this fact that she is a country of paradox. She has never in all her history been ruled by the indigenous race. Her rulers have always been foreigners. Whether they were Pharaohs or Greeks, Romans or Turks, they always exploited the inhabitants of the country to their own advantage. It was not until the British Occupation of the country, in 1882, that Egypt saw for many centuries, if not for the first time, the rudiments of justice as between man and man. The sun shone on her inhabitants on the day when Lord Cromer first set foot in Egypt as British Agent and Consul-General to be her *de facto* ruler. Mistakes no doubt were made—we are all very wise after the event—but for honest, well-intentioned effort for the welfare of the Egyptian people, the days of Cromer have no parallel in Egyptian history. Cromer built, and the Egyptians are pulling down the edifice which he created after years of effort. His mantle has fallen on the shoulders of Lord Lloyd, who has before him a task almost as Herculean as that accomplished by Lord Cromer. The conditions perhaps are different, but for all that they are none the less difficult. It has always been hard to save the Egyptian from himself.

I acknowledge my indebtedness to *The Times*, whose admirable news from Egypt has enabled me to present to the reader a chronological view of events in Egypt from 1914 onwards; to the *Egyptian Gazette*; to the *White Papers* published by His Majesty's Stationers; to Sir Valentine Chirol's valuable work, *The Egyptian Problem*; and last, but not least, to my correspondents in Egypt.

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# THE EGYPTIAN ENIGMA

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## CHAPTER I

### EARLY DAYS IN EGYPT

EGYPT, when I first visited it in 1890, was in a state of dismal and disheartening confusion. And now, as I leave it after a lapse of nearly forty years, it appears to have moved, despite all the vicissitudes it has endured, but little towards a solution of its manifold and conflicting troubles. It requires, like another turbulent country nearer home, twenty years, or perhaps even fifty years, of resolute government to set its institutions upon their feet and to make of its inhabitants responsible citizens. Of those institutions, as of the Egyptian people, I saw much during my sojourn in Egypt; and from a position of detachment on the Bench I was able to observe, perhaps more clearly than from a nearer point, the progress of home-bred officials through the tangle of Egyptian affairs, a progress not always well ordered and inspiring; and to measure the reaction of Egypt and the Egyptians to them and to trace and examine the influence they exercised on the country it was their task to rule, and the changing legal code it was their duty to administer. My conclusions are my own. With them I have ventured to set down a few personal experiences and to mingle with a sketch of political and legal

history in Egypt during our own time—written, be it said, without malice—a record of the most interesting and strenuous years of my life.

My family has always followed the law, and there was never any doubt that I should tread the path of my forbears, and in 1889 I was duly called to the Bar. Politics attracted me, but any hope I ever had of entering Parliament was dissolved by the fact that for reasons of health I was compelled to live in a climate warmer than that of my own country. My wife and I—I had married while still a student—therefore went to India in the December of the year in which I was called. But the climate did not do all that we had hoped of it. Egypt, even the little of it that one may see in passing through the Suez Canal, always attracted me strongly, and so to Egypt we went. I well remember even now some of the people we met on the way out. There was Caillard Pasha, Director-General of Egyptian Customs, the late Sir George Morice, Director-General of Ports and Lights, and Mr. Stanley Weyman.

On board we heard little to commend Egyptian hotels to us, but we found quarters at last at the Beau Séjour at Fleming Station, named after Fleming, one of the original directors of the old Alexandria and Ramleh Railway Company. At the hotel we met Maître Semiani, the elected leader for the year of the Mixed Tribunal Bar. He gave me information about legal conditions in Egypt; while the day following, having gone by train to Alexandria, I called on Mr. Charles Royle. With his assistance I found suitable business and living quarters, the latter being in the house of a Mrs. Wilson, whose husband had then just succeeded Moberley Bell as correspondent of *The Times* in Egypt, a

post he held until his death some years later. The next step was to make the acquaintance of the Consul-General and Judge, Sir Charles Cookson, with whom I developed a friendship which continued until his retirement.

Clients were not so quick in presenting themselves as I had been in preparing to receive them, but my first case came at last. It was at the Consulate, where I was appointed by the Court to defend a pauper prisoner, and received no fee. I heard through a friend that Cookson thought I had acquitted myself very well. I always felt nervous in Court until things had got under way, but on the Bench, fortunately, I was never conscious of any such feeling. Proceedings in the Consular Court were painfully slow, partly because of the necessity of interpreting all evidence given by foreign witnesses. Chevalier, the Registrar, had a great gift of sketching the witnesses and counsel or anyone in Court who struck his fancy, and was more often so occupied than in taking notes. Cookson always took his own notes, but one day Sir Edward O'Malley came over from Constantinople, and he suddenly said to Chevalier, "Mr. Registrar, will you read your minutes?" Chevalier, who had been engaged in his usual occupation of drawing, replied :

"We don't take minutes here, sir ; we take hours !"

There were very few cases in the Consular Court at that time. The Maltese, who formed the bulk of the British subjects, were kept in order by Messrs. Chevalier, Fabri and Inglott of the Consular staff, who thoroughly knew their countrymen. They saved Cookson a lot of useless work, and did not deprive the Bar of anything appreciable in the way of fees.

The next thing to think about was my admission to practise in the Mixed Tribunals. These Courts had jurisdiction in all civil cases between persons of different nationalities and between foreigners and natives. Their criminal jurisdiction was very limited and mainly confined to fraudulent bankruptcies. The different foreign Consular Courts had jurisdiction over their nationals both in civil and criminal matters, but in civil cases only when both parties were of the same nationality. The Native Tribunals had both civil and criminal jurisdiction exclusively over natives. The legal work of the country centred in the Mixed Courts. I found that, having only one year's seniority at the Bar, I must become for another five years a "Stagiaire," which meant being attached to the chambers of some advocate who had been admitted to plead before the Court of Appeal. This was very annoying, as it placed me in a position of dependence, though no doubt from a practical point of view it was very sound, giving some security to the client that he would not be experimented upon. But five years seemed a long time, and I cudgelled my brains to see if there were not a way out. Before studying for the Bar, I had been articled to a solicitor, who was clerk to the magistrates at Portsmouth. I thought I was quite justified in considering the five years spent in his office as a "stage." So I drew up an affidavit in French, in which I qualified him as "Conseiller Judiciaire" of the magistrates, asked him to swear it before a Notary Public, have it legalised by the Turkish Consul-General, and mark it with all the stamps and seals on which he could lay his hands. It was a very impressive-looking document when he returned it to me, and enabled me to surmount all my difficulties.

I was forthwith admitted to plead before the Court of Appeal, but I soon saw that I stood very little chance of success on my own. The law was French law, of which I knew nothing, all documents being drawn up in that language. Italian and Arabic were admissible. The latter was never used, the former but seldom, for although all the foreign judges more or less understood French, none of them appeared to have a working knowledge of any language but his own. It was not until many years afterwards that English was admitted as one of the judicial languages of the Court, but for the same reason it is never used.

One day in the Ramleh train I made the acquaintance of a young French advocate, whose father was the most distinguished member of the Marseilles Bar. Neither of us had any clients, but the equal of nothing was still nothing. However, I conceived the idea of amalgamating. I thought that Royle might be induced to give us his Mixed Tribunal work, instead of distributing it here and there, as he had been in the habit of doing. The proposal had many advantages for him too, as our own chambers were alongside his, and he could be kept posted about all his cases without moving from his own room. The arrangement was accordingly made, and lasted until Royle's appointment to a judgeship. Maître Aicard was still a "Stagiare," and could not plead in the Court of Appeal. I could, but at the same time I could not, as I was not yet properly equipped. I knew French very well, but my knowledge of French law was almost nil. Padoa Bey, a brilliant French lawyer who was a friend of Aicard's father, came to the rescue and offered to plead all our cases in the Court. We did not start the partnership extravagantly.

My room, not a big one for Egypt, was divided by a partition. The other side was occupied by a clerk and his desk and some chairs for prospective clients. The clerk received £1 a month, but even then he was overpaid.

Before Aicard joined me, Royle gave me my first case, he having a general retaining fee for the defendants. It was a matter of principle rather than amount, and both parties were keen on a fight. To my mind it arose from the bad drafting of charter-parties, and did not justify a resort to the courts for a final decision. This it never received, as, although I won the case before Cookson on the main issue, his judgment was upset by the Supreme Court at Constantinople, where my clients would not go to the expense of briefing me. Nor would they risk an appeal to the House of Lords. I had nothing to do, and spent much of my time in looking up all the cases on the subject, and, knowing that only sound reasoning would appeal to Cookson, I let myself go on that. In Egypt the barrister acts as a combination of solicitor and advocate.

I drew my bill of costs in Summerhayes' best style, took so much off the total and sent it in without putting any figures before the items. My client wanted a discount, and I said jokingly that I would take 5 per cent. off. I think he wanted 50 per cent. off. Then he said he would like the bill taxed by the Judge, and asked me to prepare it, as he did not know how. I did so, and entered a further item on the account. We duly appeared before Cookson, who commented on my high fees for appearing in Court, saying they were such as would be marked for the best counsel obtainable in England. I agreed, but pointed out that I was the best counsel obtainable here, and asked if the case could have been pleaded

better. Cookson allowed the fees, and took off half-crowns here and there on solicitor's work. Then my client remarked that he had consulted me many times in the Ramleh train, and did not see why any consultations should be charged for at all. Cookson became really angry at this, and said he saw no mention of any consultations in the train, and thought it most unfair that my client should have availed himself of such opportunities for obtaining advice gratis. The bill, when added up, came to a good deal more than what I had originally asked for! My client, who was a rich Maltese coal merchant, then became sorry he had not paid the first bill, and begged me to accept the sum I had demanded previously. I said, however, that in deference to the Judge, I could not go behind his ruling, and that if anything more were said it would be a reflection on his fairness. The Maltese then registered a vow never to go to law again, but I pointed out that if his intention became known he had better give up business, for no one who was not prepared to defend his interests could possibly carry on.

Such few clients as I had by no means kept me fully occupied, so I set to work to learn Arabic and study the Egyptian codes. Sir John Scott, who was the best of the Judicial Advisers that Egypt ever had, advised me to study Arabic with a view to a Judgeship, should one fall vacant in the Native Tribunals. At that time it was very difficult to find anyone who was qualified to teach Arabic, but at last a certain Mohammad Effendi Ghareeb was recommended to me. He taught the officers who went up for the Arabic examinations for the Army, which meant less than it sounded, for their knowledge was not over-taxed. His method was purely Ollendorf. He had not a sufficient grasp of his own language to enable

him to teach it properly, but through him I acquired a certain colloquial knowledge.

About this time I began to write leaders for the *Egyptian Gazette*, for which I received the munificent sum of ten shillings per article. The print was big, so perhaps the pay was not too bad after all. I also used to superintend the editing of the *Gazette*, which was then published in French and English, when Philip, the Editor, went to Cairo on business. Philip was a very good friend. He, with Royle, Kirby and, I think, Moberly Bell, started the *Gazette*. Philip was the editor and manager. In his contract with his partners they had to furnish a certain number of articles in a given period. If they failed to do so, Philip had the option of buying them out. They very soon did fail in their part of the bargain, and Philip thus became sole proprietor.



## CHAPTER II

### LIFE AT RAMLEH

LIFE at Ramleh was very peaceful. There was not a very large English community, and everybody knew everybody else, a state of affairs which would be impossible to-day. During the summer the offices were closed in the afternoons, and after tea I used to go down to the shell beach and take my book and an Arabic grammar. I had to pass Caillard's house and often met Mr. (afterwards Lord) Milner, who always stopped there when he came down from Cairo. He was then, as always, both modest and unassuming, but possessed in affairs a most penetrating vision.

For recreation we sometimes had moonlight donkey picnics to the Spouting Rocks, to reach which a fine stretch of desert had to be crossed. In Ramleh at that time there were practically no roads, and you could take a bee-line from one house to another. The place was not lighted at all at night, and those who went out after dark were generally preceded by servants carrying lanterns. The water was all filtered through porous earthenware vessels, called *zeers*, while bath water was mostly the muddy liquid from the Nile. Scarcely anyone had a carriage at Ramleh, and a donkey provided the only means of getting about. Life was certainly very cheap. Eggs were twenty-five for  $2\frac{1}{2}d.$  and whisky was less than a shilling a bottle. It is true that we had not the luxuries which exist now, but we had more pleasures. On the ground where the kangaroo rat roamed in freedom now stand palatial houses. But

people can no longer shoot the incoming quail in September, seated on chairs at their own front doors.

In the autumn of 1891 we took a house of our own. Furnishing was very difficult. There were very few, if any, sales of furniture at that time, and the *riche Mobilier* of the auctioneers' catalogues of a later period often included such rubbish as that with which I was compelled to furnish my first house. Indeed, there was no good furniture then in the country. If people wanted good furniture they had to bring it from Europe, but the *pièce de résistance* in most houses was a type of divan stuffed with cotton or vegetable hair, and with such articles we did much. A Maltese carpenter was employed to make odds and ends, and we bought Austrian bentwood chairs and a few country-made arm-chairs.

It was soon after this experience that we went up for the first time to Mena House, the well-known hotel at the foot of the Pyramids, which in those days was, and is still, a very charming place. The only way to reach it was by carriage or donkey from Cairo over a long, straight and seemingly endless road. This road was laid down by the Khedive Ismail so that the Empress Eugénie could visit the Pyramids in comfort at the time of the opening of the Suez Canal. People used to stop at Mena through the winter.

There was and still is a great charm about Mena. It was like a large country house filled with very pleasant people. There was a golf course, where I played my first game, playing just as well as I have ever played since. One could begin to shoot snipe from the corner of the stables, and many a delightful day's shooting have I had in the crisp, bright air,

A shooting donkey cost a shilling for the whole day, and the donkey boy was pleased with  $2\frac{1}{2}d$ .

Inside, the hotel has still the charm of the old days. The dining-room, which was designed by Favarger, is a replica of the St. Sophia Mosque at Constantinople and is very fine. The old servants were a splendid lot, natives of the same village in Upper Egypt. In the dining-room there are four panels with an Arabic inscription. Arabic writing is very decorative, but it is not given to all to be able to read it. My friend, the late Colonel Arkwright, R.E., made the following translation of the inscription :

I said to my friend Ab' Eesa,  
Who is very wise indeed :  
" I love good wine." " Beware," said he,  
" 'Tis fatal to exceed."  
I asked him then to say how much  
A man might safely drink.  
He gave me this opinion  
After taking time to think :  
" The instincts of a man are four,  
Since man first saw the light,  
To eat, to drink, of course to love,  
And finally, to fight.  
Four flagons then, or one for each,  
Will be exactly right."

My daughter was born at the end of July, and I well remember having to go for Dr. Morrison at Alexandria about one o'clock in the morning on a donkey. The last train had gone, and we had no telephone, and I do not know whether Morrison had one either. I roused him, and we came back in a street carriage, which I found prowling about. Morrison is now my oldest friend in Egypt, and a man of great character and parts. He is an Aberdonian, a brilliant surgeon, and a great public

speaker in either French or English. His two hobbies are his hospital and the Quarantine Board, on which England could not be better represented. He speaks Italian well, and has a very considerable working knowledge of Arabic. His greatest merit, perhaps, is that he never pays an unnecessary visit. He told me once that the greatest compliment he ever had paid him was when he was attending a post-graduate course at home, and after an operation a man standing near him said, "I saw that operation better done by a fellow called Morrison in Alexandria."

Another friend was Caillard Pasha, Director-General of Customs. For some reason he was not *persona grata* with Lord Cromer or his young men at the Agency. Milner had gone, and Caillard had no friend at Court. He was the finest type of British official we ever had in Egypt. He originally came out to the Post Office as Postmaster-General. He reformed the Post Office, and then the Azizieh Government steamers, which were ultimately sold to the Khedivial Company, Limited. Then he reformed the Customs. His successor was Sir Arthur Chitty, who found little to criticise when he took over on Caillard's death.

At his funeral, the gathering of a vast concourse showed how deeply he was beloved by all parties and all nationalities. Had the procession started from the Customs gates instead of from his house at Ramleh, the entire population would have followed him to the grave.

In those early years I made many friends whose help to a new-comer I shall always remember with gratitude. Among them were Mr. Robert Moss, of the firm of R. J. Moss & Co., Mr. A. D. Alban, who was in the Consular Service, Sir George Alderson,

who did so much for British institutions in Alexandria, James Hewat, founder of the firm of Hewat, Bridson & Hargreaves, Chartered Accountants, R. C. Crafton, Judge Sandars, J. E. Cornish, Manager of the Alexandria Water Company, Ltd., and Robert Lang Anderson, Manager of the Aboukir Company.

## CHAPTER III

### PROGRESS AT THE BAR

ABOUT the end of 1892, we received our first trade-mark case from Royle. His clients were Hennessy and Martell, whose trade-marks had been extensively forged in Egypt. Not only were they being deprived of the sale of their brandy, but they were acquiring a bad name into the bargain. There was no trade-mark law in Egypt, but the Egyptian Codes had a convenient provision which allowed the principles of equity to prevail in the silence of the law. The difficulty was to put the matter before the Courts in such a way as would enable us to show that a prejudice had been caused to the owners of the trade-marks, of which the Courts could take cognisance. The first and great difficulty was to secure adequate proof, and for that we had to make out a case strong enough to enable us to seize the corks, labels, etc., before they had passed through the Custom House. There was some diversity of opinion as to whether this could be done, but at last we evolved a way. In a case like this, the thing had to be stopped at the source, before the labels had been distributed amongst all the small vendors, who mostly made their own poisonous concoctions in the back premises of their shops. Lord Cromer took a great personal interest in the protection of British industries. On the question of seizure, he had consulted an eminent Cairo advocate, the late Mr. Carton de Wiart, the father of General Carton de Wiart, V.C. Carton de Wiart's opinion was not in favour

of our *modus operandi*, but we managed, in the end, to make it part of the jurisprudence of the Mixed Courts.

There had, at one time, been an attempt made by Great Britain to have a trade-mark law incorporated in the Mixed Code, but France would not agree. Then France wished to have a special law on the subject, the draft of which was submitted to me to report on. Personally, I was very much in favour of it, not so much on account of its provisions, which by then had nearly all been incorporated in the jurisprudence of the Mixed Courts, but because I thought it was as well to have the law set out in black and white to act as a warning and a preventive to transgressors. My observations were laid before the Patent Office authorities in London, who commented on them very favourably, but Lord Cromer, who was a very practical man, thought that the object had been attained by decided cases and that it was best to leave it at that. I wrote a memorandum on the subject, a copy of which I sent to the late Lord Salisbury in January, 1896. I then had a letter from Lord Curzon, Under-Secretary of State for Foreign Affairs, thanking me in Lord Salisbury's name for it, and saying that it was proposed to make use of it for the next issue of the *Board of Trade Journal*. It was also published in the *Journal of the London Chamber of Commerce*.

After I had been shown all the diplomatic correspondence with the French Government, I wrote another memorandum. I sent a copy of this through Sir Charles Cookson to Lord Cromer, who wrote him a long letter approving of it. I also sent one to Lord Salisbury and the *Journal of the London Chamber of Commerce*, in which it was to have been published. Then Lord Salisbury cabled to Lord

Cromer asking whether he had seen it, and if he approved of it. He replied that he had seen it, but had not approved. This threw Cookson into a great state of mind. He said he might be accused of having betrayed official secrets, and that I must wire at once and stop the publication. I pointed out that there was no need to do this, as the *Journal* was a monthly publication, and a letter would arrive in ample time. He had no recollection whatever of having received a letter from Lord Cromer signifying his approval, so I insisted on a search being made. The result was that the first half of the letter was found, but not the part expressing his approval. In those days nothing was filed at the Consulate, and there was no letter book, nor were any copies kept of letters sent out. I imagine the same system was in vogue at the Agency in Cairo, and Lord Cromer had forgotten the precise terms of his letter to Cookson. However, I was exculpated of having been guilty of a breach of confidence, and I had become known at the Foreign Office, and received many recommendations of clients through their good offices. One of the most notable of these was the Cutlers' Company of Sheffield, whose Power of Attorney was signed by the Duke of Norfolk, the Master Cutler of the year.

Another case which promised to become a very big one was connected with the dredging of the Pass of Alexandria Harbour. Messrs. Pearson, the great engineering firm of Westminster (of which Lord Cowdray is the head), were the contractors. The work was very difficult, and involved the cutting away of a lot of solid rock by means of a rock-cutting dredger. The difficulty of the operations was materially increased by the very considerable rise and fall of the water. Then again, there seemed a



great deal more solid rock than had ever been anticipated, and it looked as though the contract could not be completed in anything like the time limit. At last, Messrs. Pearson thought there must be something wrong, and sent out Mr. Fender, one of their expert engineers. He was not long in discovering that the indicating marks on the Mex shore had been altered by someone in the employ of the Egyptian Government, and for that reason the amount of rock cutting was very considerably more than had ever been anticipated by either of the parties to the contract.

Pearsons' put in a claim for the extra work done, which the Egyptian Government would not allow. They had then no other course left than to take the matter to the arbitrament of the law. Messrs. Pearson retained me as their Counsel. Of the justice of their case there could be no doubt, but it involved a great deal of abstruse mathematical calculation on Mr. Fender's part. He and I went to Mena House, where we should not be disturbed, to go into the matter thoroughly: he to check all his calculations, and I to prepare a case to submit to Padoa Bey, whom I had advised him to call into consultation. It was a big matter and required some thinking out. My only fear about the case was that, as the Mixed Courts must appoint experts for the technical part of the matter, whether there were experts of the requisite calibre to be found in Egypt. I foresaw for myself many days of being rocked in a boat assisting in the labours of the experts. The Government eventually saw, however, that Messrs. Pearson were not to be trifled with, and called in the good offices of the late Sir Benjamin Baker, who settled the matter. Messrs. Pearson would certainly have received much more for their work had they gone to

law, but they would have had the worry of long and weary litigation. Besides which, the Government agreed to take over the dredger at a fair price, which relieved them of the necessity of towing it back to England, a costly operation, and not without considerable risk of its sinking on the way. The Egyptian Government of the time was very much annoyed, and swore that Pearsons' should never have another contract, although the affair was entirely their own fault. However, the men who were in power then have gone, and three years ago Messrs. Pearson secured a very big contract in the Sudan.

Most of my clients lived in England, which in some ways had its advantages, as it prevented them from coming and worrying about things they did not understand. When the clients instructed me direct it was an easy matter, as they required no explanation of technicalities, and were quite content to know how they stood. With solicitors as clients it was quite another matter, for they wished to have a technical explanation of every step taken, and this often involved almost the writing of a treatise on the law of Procedure. One day, the travelling inspector of a big English Assurance Company suggested that it would be a good idea to write a short treatise on the laws of Egypt from a commercial standpoint. This I did, and it saved me a lot of explanatory detail in the future. This little work was on several occasions quoted in the High Court in England, and after the edition was exhausted I remember receiving an application for a copy from America. So it apparently became better known than I ever imagined was possible.

In another of these early cases I acted for the Tobacco Importers' Association. It was at the

time that negotiations were pending between Messrs. N. M. Rothschild and the Ottoman Government about the Tribute loans, which culminated in Egypt becoming responsible for their payment. In all her relations with Turkey, Egypt had always to give a *quid pro quo* for any rights or privileges she might acquire. It would, perhaps, have been difficult, if not impossible, at the time, to have saddled Egypt with the Tribute loans, but Egypt was responsible for a Tribute to Turkey, and there was no limit to the amount which she might be called upon to pay. It was Egypt's opportunity to have the Tribute fixed for all time, and she took advantage of it to require Turkey to pay Customs dues on all her imports into Egypt, from which she had hitherto been exempt. Egypt at that time depended for much of her revenues on the Customs dues, and all sources of income, at that critical period of her financial history, were so vital that she could not afford to neglect any of them. The principal Turkish import was tobacco. More and ever more tobacco was coming into Egypt, furnished with a certificate that it was of Turkish origin. It was more advantageous for the merchants of the tobacco-growing countries adjacent to Turkey to pay trifling sums to Turkish officials for a false certificate of origin than to pay the then very light duty imposed on imported tobacco by Egypt.

As soon as the matter was settled between Turkey and Egypt, by negotiations unknown to the tobacco importers, a law was passed decreeing that duty would be levied on all imported Turkish tobacco from that date. This rather upset the calculations of the tobacco importers regarding their cargoes in transit. They had already paid the Turkish officials, and now, on top of that, they must pay the Egyptian

Customs dues. Mr. Cohenka, the President of the Association, came to me and explained how the matter stood, and after he had convinced me that he was right on general principles affecting such matters, I admitted that all goods in transit should fall under the old law, and be admitted free of duty. The matter was in the hands of the administrative authorities, so I went to see the late Sir Clinton Dawkins, or "Monsieur Dowkin," as my client called him, who was acting as Financial Adviser. It was impossible to persuade him that he was not playing the game. I found him absolutely adamant on the subject, and at last I became angry, and said I would see the Minister, Mazloom Pasha, who had been a Judge in the Mixed Courts, and probably understood something about law. Then Dawkins also got angry.

"If you do," he said, "I will veto his decision if he agrees."

"In that case," I replied, "I will spare him the possibility of being humiliated," and left the matter at that. Some time afterwards I heard that the Customs duties had been refunded to owners of cargoes in transit, so I suppose the authorities had thought the matter over.

A bankruptcy case in which I represented most of the creditors, though not of any interest from a legal point of view, was of very great interest and utility to Egypt, as it led to the discovery of the Aboo Zabel quarries, which supply all the black basalt used for road-making in the country. My bankrupts were a firm of coal importers, one partner an Italian Jew, the other an Englishman. Their method of working their business was to order a cargo of coal from exporters in England, and then sell it, very often under the market price, remit a

portion of the proceeds and order another cargo. They managed to persuade several well-known people to trust them. The first cargo must have been difficult to obtain, but after that it was apparently quite easy until the smash came. There were no book-assets, and just prior to their declaration of bankruptcy they seem to have divided the cash equally between them, and this was shown in the books by such entries as "Prélèvement . . . Prélèvement !" Of course, it was fraudulent bankruptcy, and the Italian Jew disappeared. The Englishman was a married man with a very large family. Apparently he had no money either, and was literally fed by contributions in kind from his fellow-countrymen. The creditors were very angry and wanted to put him in prison. There was absolutely nothing to be gained by this, and the man's family were going to feel the punishment much more than he was, as at any rate when he was in prison he would be fed and lodged. The family were not sure even of that.

Some time previously, however, he had bought for a small sum about 700 acres of sand on the banks of the Ismailia Canal, and this was his only asset. I sent an agricultural expert to look at it, and he reported very favourably on its possibilities. About that time, I had to go to Cairo on business, so I thought I would go and have a look at it myself. I found a pumping station on the land, and some mud huts in which the Englishman and his family existed during the following summer, so hard put to it were they to find a covering for their heads. The land had nothing growing on it, but the adjoining ground, very similar in character, was planted with orange and lemon trees in a very flourishing condition. There were also acres of strawberry

beds, but all this wanted capital and time if anything were to be got back from the soil. I noticed on some ridges that there was an outcrop of black basalt, not only on the bankrupt's land, but on the adjoining land belonging to the Government.

The following day I had to see Sir William Garstin, head of the Public Works, on another matter, and mentioned to him my discovery of the black basalt. The end of the matter was that Aboo Zabel was made into a convict station, and the convicts set to work the quarries which supply road metal for the whole of Egypt, a vast improvement on the old Trieste flagstones, which used to be the only paving in Alexandria. The discovery of black basalt made motoring in Egypt not only possible but enjoyable, but I received nothing for my discovery, and it was only with great difficulty that, many years later, I induced the Municipality of Alexandria to do the short piece of road up to my house at Ramleh with basalt. The Municipality bought the bankrupt estate for £500 for the sake of the stone, but the creditors would not put any money into it. Curiously enough, at that time, no one in England had any confidence in the future of Egypt, for much the same reason that still exists—absence of defined policy.

## CHAPTER IV

### THE PRESS IN EGYPT

THE *Egyptian Gazette* deserves more than the passing references I have hitherto made to it. This journal began its career before the Occupation as the leading, and then the only, English newspaper in the country. Many other papers have been started in opposition, but it has never been displaced. It is read in England, especially in Liverpool and Manchester, by those interested in the cotton market, for its commercial news is good. At one time the paper had no woman correspondent, and Mr. Philip, the proprietor, once attempted, at the races at Cairo, to fill the bill, but the results of his attempt were ludicrous and a woman correspondent was duly appointed.

Lord Cromer always gave the *Gazette* an indication of the line he wished it to follow, and Philip invariably took any hints given him. I remember writing for it an article on the Native Tribunals. The French paper, *Le Bosphore Egyptien*, translated this, and headed it, "*Sir Evelyn dit 'Oui,' et La Gazette dit 'Non' !*" I do not think Lord Cromer was displeased. He had given the Native Tribunals the encouragement they wanted in his annual report, but he was not averse to their being given a kick in the desired direction by someone else.

About two years before Philip's death, Mr. Rowland Snelling became sub-editor of the *Gazette*. I think I was mainly instrumental in getting him the post, as Philip consulted me in the matter, and I said

that if he wrote as amusingly as he talked, the proprietor could not do better than take him. Snelling came out to Egypt as a tourist, but also to try to find a job. At home he had done a lot of political canvassing in country districts. He was given a caravan, in which he drove from village to village. He also lived in it, when he was not put up at one of the big houses in the neighbourhood, an existence that must have perfectly suited his Bohemian temperament. He came to Egypt with excellent introductions, and it must have been more through bad luck than want of trying that he did not find a good billet. He had been a scholar of New College, Oxford, and was a member of the Bar, though I do not think he ever practised. He was well read and a good talker, and also an excellent man of business, and under his management the *Gazette* prospered exceedingly. During the war, he raised the price of the paper to 5*d.* without reducing the circulation. On Philip's death, the *Gazette* was sold to Messrs. Back and Manson for £5,300, and in two years it repaid not only the purchase money, but also 5 per cent. interest on the capital.

When Sir Eldon Gorst became Agent and Consul-General in Egypt, he did not follow Lord Cromer's practice of guiding the policy of the *Gazette*, and from his time onward it was obliged to follow its own line. Naturally, this was sometimes divergent from that of Kasr-al-Doobara, but the natives always credited the *Gazette* with receiving its inspiration from the Agency. It seemed to me unfortunate that Lord Cromer's method should have been departed from, for I believe there was never any disinclination on the part of the paper to model its policy on that of the Agency. During the war there was a dearth of local news which could be



published, and Snelling had recourse to scissors and paste. But even then he found things which he had taken from *The Times* and other papers, bodily blacked out by the Censor. Once when this had been done, he complained to me bitterly, and said that recently, on two occasions, he had seen a coloured man reading *The Times* in a tram. At last various disputes led to the severance of his connection with the *Gazette*. During Lord Allenby's High Commissionership, Snelling had copied articles from English newspapers. These articles did not always commend themselves to those in power, and he was requested to abandon the practice; though, however, he refrained from reproducing articles, he gave the names of papers and the dates on which certain things had appeared.

When I was a Judge of First Instance, Snelling asked me to write some articles on local subjects. One of them, I remember, was on the Mudirs, or Provincial Governors. It created quite a sensation at the time, and was translated by the *Moyayad*, Sheikh Ali Youssef's paper, into Arabic, and commented on by every vernacular paper. It was supposed to have received the imprimatur of Lord Cromer. One day I heard one of my native colleagues, the late Ahmed Khaled Bey, discussing it. He was an old gentleman with a very biting tongue, but my very good friend, and I was amused when he said that every word of it was true, and the person who wrote it must have walked step by step with the Mudirs “Khatwa b'il Khatwa!” The article thoroughly frightened the Mudirs, and made them realise that someone, at any rate, was not blind to their defects. My point was that so far no native of Egypt had been found capable of governing the country, and that it would be a long

time before the native race would evolve the right type of man for a position of authority and responsibility. Given a free hand, Eastern men are excellent for Eastern methods, but government by Orientals on Western lines partakes too much of the nature of a compromise ; in theory it is excellent, in practice it is execrable.

On the 8th of February, 1904, I received the following letter from Lord Cromer :

“ It is currently reported here that many of the articles in the *Egyptian Gazette* on the subject of the administration of justice are written by yourself. I am informed—though I have not noticed it myself—that some of these are signed *Judex*. Possibly this fact has given rise to the rumour which, for many reasons, I am wholly unable to credit. It might, however, be desirable that I should be in a position to give it a positive denial. Will you kindly tell me if I may do so ? ”

I had neither written the articles nor did I know who was the author of them, nor was I ever able to find out who wrote them. Lord Cromer, I believe, asked the Editor, but he categorically refused to divulge the writer's name. They were directed against the Judicial Adviser and his Assize scheme, and must have been written by someone with a grievance. I replied to Lord Cromer's letter, and sent him the articles which I had recently written for the *Gazette*. On the 11th of February, he wrote me as follows :

“ I return the articles. No reasonable person could take the least objection to them on their own merits, but, at the same time, I think in view of your position, that it would be better to abstain altogether from writing in the Press. I send a copy of the rules on the subject. I conceive that

it applies to the judicial as well as to the executive services."

There was nothing more to be said, and Lord Cromer's letter terminated my literary connection with the *Gazette*.

I found that my colleagues at Alexandria were omnivorous readers of the native Press. I suppose there are possibly more illiterate people in Egypt than in any other country which has a Ministry of Education. At a most liberal estimate, there are only 10 per cent. who can read, and certainly less than 5 per cent. who can understand what they do read. Yet there are possibly more papers published in Egypt than in England. And it is not only those who can read who subscribe to them. I remember one Omda, or village headman, who was quite illiterate, and yet subscribed to no less than six, for fear it should be said that he could not read. In any case, the contents rarely repay the trouble of reading. Lord Cromer said that for a long time he had extracts translated from them to see if he could gain any helpful ideas to assist him in governing the country, but it was a fruitless task, and he gave it up in despair. No doubt they do contain a certain amount of local news, which is interesting to the Egyptian, and especially to the official, such as transfers, promotions and ministerial crises. The existence of most of the papers is ephemeral and dependent entirely on the exertions and personality of their proprietors. Mustafa Pasha Kamel's paper, the *Lewa*, died with him, and the *Moyayad*, the paper of Sheikh Ali Youssef, faded away when he was no longer there. The two notable exceptions are the *Ahram* and the *Mokattam*, and in these cases the proprietors are Syrians,

Takla Pasha started the *Ahram* many years ago, and on his death it was continued by his son, Gabriel Takla Bey, and is still going strong. Its policy has always been anti-British, more, I suspect, to augment its sale than from the personal convictions of its proprietor. The *Mokattam* is quite another thing. In this case the proprietors are three Syrians, Messrs. Nimr, Sarroof and Makarius, who were for very many years staunch supporters of the British occupation. Dr. Nimr, the Editor, is an extremely able man, and a very astute expert in the politics of the Near East, knowing everything there is to be known about Egyptian and Turkish politicians. This being so, it is a great pity that the British did not take more trouble to keep him on their side. But they either could not, or would not, help him. Soon after the advent of Zaghlul as a powerful factor in the land, Dr. Nimr found himself ostracised for his pro-British propaganda. No one would pick the cotton on his estate, and he was faced with the prospect of seeing valuable crops rot in the fields. After some time, he gave in, and went to Sulieman Pasha, the father of Mohamad Mahmood Pasha, who was a kind of honorary head of the Nationalist Party. To him Dr. Nimr was quite frank. "We have never been friends," he said, "but I want your help. No one will pick my cotton. Will you do something for me?" The Pasha, being wiser in his generation than the British, immediately responded to the olive branch. "Go home," he replied, "and to-morrow your fields will be full of people picking your cotton."

With Dr. Nimr's capitulation, the circulation of his paper, which had decreased almost to a few copies, went up by leaps and bounds, and a valuable

ally was lost to us. We have let down too many of our friends in Egypt, and uplifted too many of our enemies.

I remember reading in one of the native papers an article about the Prince Abd-al-Moneim, the eldest son of the ex-Khedive, commenting on the reports as to his extravagance. It went on to say that someone had “ sold the Prince a pup.” But the paper concluded this interesting item of news with the innocent remark that “ it could not conceive that the fact of buying a dog should be accounted extravagance.” But, speaking seriously, there is no doubt that the native Press of late years has been very harmful. It is also probable that a certain amount of funds have been collected in the way of blackmail by unscrupulous journalists. The Egyptian, in office or out of it, has a wholesome dread of criticism or disparaging reference, and would rather pay even than be subjected to comment. This is a negative form of blackmail, but is blackmail all the same. Since Egypt embarked upon what may be called its revolutionary career the Press has been made great use of as a means of developing all sorts of calumnies against the British, and pandering to the passions of the ignorant masses. For although most of them are unable to read, there are always people ready to read aloud to the illiterate and see that they get a full dose of the literary poison of the moment. It does not matter how wild and incredible the news may be, it is in print, and therefore must be true. Rightly or wrongly, wisely or unwisely, the British authorities have to a large extent treated these newspapers with silence and contempt, though I scarcely think they can have been aware of how much very real harm they were doing. It was not until they overstepped the bounds

of even the most unlicensed journalism that any notice was taken of what they wrote.

Not so the native. If anything was written about him, or about anything with which he had to do, he clamoured for the suppression of the paper in question. If it wrote shamefully of his enemy, that was another matter and he was quite pleased. No unbiased person can say that the standard of journalism in Egypt is a high one, or is likely, as conducted at present, to advance the true interests of the country.

It would have been greatly to the advantage of the British if we had had an organ in the vernacular for the purpose of issuing statements to the public, and refuting the fantastic stories with which the papers were often overflowing. It would have saved much misunderstanding, and put a bridle on the unchecked and utterly erroneous statements made in the native Press and elsewhere, impugning our motives. We always had the welfare of the Egyptian people at heart, but the difficulty was to make them believe it. Such a paper would have helped us to mould public opinion and the native Press would not have had all its own way with its somewhat credulous readers. I took every opportunity of advocating such a course to Lord Cromer, and have never ceased to do so with his successors since he left Egypt.

## CHAPTER V

### SPORT, EPIDEMICS, AND MURDER

DURING the years that I was a Judge at Alexandria, I had quite a lot of snipe and quail shooting on non-working days. Not only was it good to get away from all thought of Courts and cases, but it helped me to gain a great knowledge of the people and their customs. The man I liked best to go out with was Colonel Lucas, the principal Medical Officer of the Army at Alexandria. When out shooting, Lucas would never do anything professionally for the natives, never even admitting that he was a doctor. He was probably right, as no doubt when we arrived at our starting-point we should have had all the sick in the district waiting to get medical attention for nothing. One old landowner always treated us very well, sending his sons and grandsons to beat for us. Consequently when one day he took off his turban and revealed a head absolutely one mass of eczema, I was surprised that Lucas still held to his rule. But no amount of persuasion would alter his decision, and luckily the old man did not know Lucas was a doctor. I consoled the native by telling him that eczema was quite a common complaint amongst the nobility of all countries, and that as he was an Egyptian nobleman, he could hardly expect to escape !

One evening, as the short eastern twilight was just descending, Lucas and I were in a field of barley close to a village. I was top scorer and had shot seventy-seven quail, but wanted to make my bag

up to eighty. On account of the bad light, I missed three birds in succession, and then Lucas informed me that unless I wished seriously to deplete the population of Egypt, I had better stop. It was always risky shooting in Egypt, as the people are very thick on the ground, and have an objectionable habit of springing up from where they have been hidden from view, just at the moment you are going to fire. It is very disconcerting and results in many misses. The only safe way is to leave all low-flying birds severely alone, firing only at those flying comparatively high.

One year in September I had the quail shooting place at Ramleh, which was rented by the Ghasi Mukhtar Pasha. The Ghasi was the Turkish High Commissioner in Egypt, and went away on leave that year, for the first time since he had been appointed. The place was only rented to me on condition that I gave it up when the Ghasi returned, and even then I had no end of bother with the owner, who wanted to let it and shoot it as well ! If it had not been for the good offices of Mohamad Lutfi Bey, an advocate of the Alexandria Court, whose client he was, I should never have had any peace. The Ghasi returned in the middle of September, and I went and asked him to take the shooting over. He would not hear of it, but said that if I would ask him one day, when there was a good show of birds, he would like to come and shoot with me. Unfortunately, there never was, as I should have liked to shoot with him. He was a fine old man, who lived like a soldier on campaign in his palace on the Mahmoodieh Canal. He slept always on an iron bedstead, which could be seen from the reception rooms, as the door of his simply furnished bedroom was nearly always open.



I have not shot quail for many years now in Egypt. The risk of shooting something human is too great, and the people, thanks to British administration in the past, are more numerous than they were in my early days. Besides, they are inclined to be truculent, and the sons are not like the fathers I used to know, men of dignified appearance and good manners.

At Ramleh we went through two cholera epidemics. Sir James Mackie, who was then our doctor, told us what precautions to take. He said that one could only get cholera by eating or drinking it. One thing he was very particular about was that the bread should be rebaked. He said that it had been made goodness knows where, and handled by goodness knows whom. The cook too, before entering our house, had to change his clothes and wash his hands in a dilution of corrosive sublimate, which he did not like at all. He was an old man, whom we liked very much, but after the cholera was over, he took to his bed, and although my own doctor examined him and reported that there was absolutely nothing the matter, he was never able to work again. I suspect that the cholera had got on his nerves.

The second epidemic, in which I had a touch myself, was the worst ; it was in every village and hamlet in Egypt. It started in a village in Upper Egypt not far from Assiut, where some of the people had been on the pilgrimage to Mecca. They had brought back with them some of the holy water from the Zem Zem well, in a jar. Everyone wanted to taste it in order to be blessed, and as there was not enough to go round, it was thrown into the village pond of stagnant water, so that everyone might have a little. The water was evidently full of cholera microbes,

who found the pond an ideal place in which to increase and multiply. Everyone drank of the water, the disease was spread by means of the canals, and finally by the Nile, and Egypt was impregnated throughout its length and breadth.

The cholera was spread owing to the total lack of knowledge of hygiene amongst the peasants. They washed in the canals before dawn. They concealed deaths by burying bodies under the mud floors of their houses. There were never any sick also to be found in the houses at the time of any visit of the sanitary authorities. They had been taken and hidden in fields of Indian corn. Many of those who died were certified by the village barber, for a consideration naturally, as having died from natural causes. The passengers in the trains which arrived from Cairo at Alexandria were all medically inspected, and were detained there some time. It was said that all the houses in the neighbourhood, in consequence, were swarming with fleas. In every way people sought to impede the authorities in their struggle with the epidemic. That is one of the things which have to be contended with in Egypt. There is a saying there that "in Egypt there are laws from the morning until the evening," but there is very little observation of those same laws. It may be that the Egyptian legislator, in turning out laws like paper money, thinks that if he has enough of them, he may by some lucky chance get some of them obeyed.

From hygiene to humanitarianism, the first attempt to start a Society for the Prevention of Cruelty to Animals in Egypt was made by an Army Chaplain. His efforts were not very successful, and culminated in his being charged before the Consular Court for thrashing a camel-driver who had ill-

treated his animal. However, small beginnings have notoriously great endings, and at length the society was started with the encouragement and support of Lord Cromer, and has been, for many years, doing great work. The attitude of the Egyptian towards his animals is curious. He probably cherishes his buffalo more than his wife and children, and it is infinitely more precious to him. On the other hand, he is, through sheer ignorance, very cruel to his animals. He thinks nothing of tethering his cow or buffalo by the ear with a rope, which in course of time cuts right through it, or of leaving untended any saddle gall of his donkey, or his horse, or of putting the same saddle over a festering wound, which must cause intense agony to the poor brute. But Egyptians are sometimes very clever in evading punishment, and paying for the treatment of their animals in the stables of the Society.

On one occasion a Belgian doctor saw a donkey yoked to a cart on the Ramleh road. It had a very big saddle gall and the doctor promptly stopped the man, made him unyoke the donkey, and told him to come to the police-station, some way off. The man consented, and asked him to lead the donkey on, saying he would follow with the cart. The procession started off, but a little while later the doctor, not hearing any sound from the cart, looked round. To his anger and amazement, he saw the man going off full tilt in the opposite direction. There was nothing to be done but proceed with the donkey to the police-station, and ask the police officer to send it to the Society's stables. But not unnaturally, the police officer pointed out that he had no power to do this, as the doctor did not know the owner's name. If the doctor chose to be responsible for the donkey's keep and veterinary

attention, well and good. But he was unwilling and eventually was forced to take it home and stable it in his garden. And there it could be seen for some time afterwards, peering with big, melancholy eyes through the railings. When the donkey was fully recovered, the owner sent emissaries to the doctor's servants with a view to recovering his property. By this time, the doctor was getting tired of having a braying donkey in his garden, and was only too glad to hand it over to its legal owner. So the canny native escaped not only a fine, but the keep and treatment of his donkey for some weeks.

One form of crime suggests another: murders are not uncommon events in Egypt, but it must be unusual, I think, for one of the Judges trying a case to have been the man who discovered the body. But so it once happened to me. One Friday morning, when my servant brought my early cup of tea, he said rather hesitatingly that he had seen a strange thing in the desert at the back of my house. My enquiries elicited the information that the strange thing was a man without a head. Would I please get up and come and see it? I went with him after breakfast. The body was near a path used by workmen, and very many people must have seen it. But, like my own servant, passers-by had been careful to keep at some distance, for in Egypt it is, or rather was, customary to arrest the man who was found nearest the corpse, charge him with the crime, and build up evidence to convict him.

I sent my servant to the nearest village to bring a Ghaffir (watchman), but there was none to be found, so I impressed a Berberin (Nubian) who was passing, and ordered him to watch the body while I

rode to the police-station. When we had gone some way I looked back, and saw a number of women jumping over the body, while the wretched Berberin waved his arms and stick in futile endeavours to keep them away. Jumping over a body is said to be a sure cure for sterility, so the women took no notice of him whatever. I reported my discovery to the police, and requested them to send two mounted men at once to keep people away from the body and generally from doing anything which might militate against the discovery of the murderer. The police officer was reluctant to send the mounted men. However, I told him to communicate with the Governor of Alexandria and Mohamad Saïd, the Public Prosecutor, and officials were soon on the scene. Almost immediately Mustafa Maher Bey and Mohamad Saïd arrived with a retinue of people, and at first were quite inclined to arrest my servant. I pointed out that he was far too busy to be spared for the purposes of arrest, having work to do in the house. The rest of the day we spent in the desert hunting for clues. It was not difficult to see that the man had not been murdered on the spot where he was found, and we soon discovered that the deed had been committed in a date-tree garden not far off. At the foot of a date tree we found that blood had sunk into the sandy soil to a considerable depth. It appeared that the body had been found there by the owner of the garden, and carried out into the desert by his orders. The man did not want any trouble about murdered men being found on his premises, but he got it all the same, being carried off to prison pending further enquiries.

There were no marks of identity on the body or the clothing, so the next thing was obviously to

search for the head. The tops of date trees were searched, ground was dug up in likely places and a reward was offered, but the only thing that happened was the discovery of another murder. A head was found, but it obviously did not fit our man, and fresh enquiries were made which led to the discovery that the head belonged to a rich Greek who was loth to share his money with a poor brother. Finding threats of no avail, the younger brother murdered the other, cut the body into small pieces and put them down a drain and took the head to Ramleh and buried it. If it had not been for the first murder, the second would probably have never been discovered, but the fates were obviously as much against this murderer as they were for the other. In spite of every effort on the part of the Public Prosecutor's department and the police, the missing head was never discovered.

Eventually, however, four men were charged with the murder. They belonged to a band of thieves, one of whom had disappeared, and the theory of the prosecution was that this was the headless man. It was proved that there had been a robbery and a quarrel about the proceeds. The prosecution alleged—without any proof of course—that the headless man had taken the spoils, and would not share with the others, and so they had murdered him. I was one of the Judges who tried the case, and I was convinced that the prosecution were entirely right in their premises. The Court, however, in spite of its moral conviction, could not, in the absence of proof, take upon itself to give the headless man an identity which fitted in with the theory of the prosecution, so the accused were all acquitted.

I have mentioned Mustafa Maher, then sub-

Governor of Alexandria. He afterwards became a Mudir, or Provincial Governor, and was considered to be the best Mudir that Egypt ever had. He spoke English very well, and was a diligent reader of *The Times*. He afterwards became Minister of Wakfs (Wakf really means land in mortmain), but was too honest and straightforward a man to hold the position long. I met him one day in the streets of Cairo during the revolutionary days of 1919. He then told me that England had a very thin line of friends in Egypt at that moment, so thin as to be almost invisible; and asked me what I thought a native prince would have done in the circumstances. I said I thought he would probably machine-gun the revolutionaries, and save himself further trouble. He replied that it was certainly what Mohamad Ali would have done. On one occasion that great ruler decorated the street lamp-posts with the heads of men who were giving him trouble. And on another, when the Mudir of a distant province would not listen to reason, Mohamad Ali sent his son Ibrahim Pasha to convince him, but gave private instructions that if the man still proved obdurate, his head was to be cut off. The Mudir proved to be recalcitrant, and Ibrahim Pasha carried out his father's orders. The man's relatives complained to Mohamad Ali of this harsh treatment, but the only consolation they got was that the man's head was no use, so it was better off. Times have changed, but there is no doubt that if Mohamad Ali had not been ruthless he could never have ruled the Egyptians, and his memory would certainly never have been venerated by them as it still is. In the East, one must do as the Easterns do, and rule, if it is to be effective, must be based on the psychology of the people. Force is the only thing Easterns

understand, and the end will invariably be found to justify the means.

Maher, when nepotism was particularly prevalent in Ministerial circles, told me that it was said he ought to be a minister, as he had no relations. The Egyptian does not lack a sense of humour !



## CHAPTER VI

### BAR COUNCIL AND BENCH

IN the summer of 1894, I had been able to go home. Among the things I bought and took back with me was a governess cart ; the first, I believe, ever seen in Egypt. Soon after my return, I had an attack of typhoid, and Dr. Mackie (afterwards Sir James) thought our house unhealthy, as it was too low-lying. I searched round, and finally bought an acre of ground on the Water Works Hill, one of the highest points in Ramleh, and set about building a house. The land cost about £E100, and the building about £E1,150. My contractor was not particularly scrupulous, and he did not build the house in accordance with the specifications. I brought an action against him, and the Mixed Tribunals appointed an expert to see what had been left undone, and to value the house, and the case was ultimately compromised. The contractor was so pleased with the position of my house that he bought some of the adjoining land and proceeded to build himself a house, which probably caused him to neglect mine. Part of his land was to my north front, and if you want a house in Egypt to be cool in summer, you must have an open space to the north. So much of this land as blocked my north front he had to give me, and I had to give him access to the private road which led to my house. I had exercised my right of pre-emption on the land he had bought, so that if he wished to retain it, I rather had him in a cleft stick. My house was built in less than three

months, and we moved into it at the end of June 1895. For the land to the north and another piece bought subsequently I paid something like £E300. This I eventually sold for £E4,300, with a proviso that it was not to be built on, or my light and air in any way blocked. Afterwards I bought more land very cheaply, paying for it by instalments. This land I have since sold for something like forty times what it cost.

When I bought my land, the old lines from which our troops fired on Arabi Pasha and his men in 1882 were still there. In front of the house was a fox's earth, and in the dusk we used to watch the foxes playing. There were also innumerable Kangaroo rats, and beautiful wild flowers of every variety grew on the slope of the hill. There were snakes too, and one evening, on going out of the house, I saw a big one. I shouted to one of my servants to bring a big stick, but as he had not one handy, he threw half a brick at the snake. It writhed away and flopped into a big water trough, which was flush with the ground, and which it evidently did not see. There we killed it, though I was sorry afterwards that we had not made an attempt to capture it alive and send it to the London Zoo, for we discovered that it was one of the rare but deadly black snakes.

To-day, the Water Works Hill is nearly built over. Sir Eldon Gorst decided that it was the best site for the summer quarters of the Residency, and the late Mr. J. E. Cornish, Manager of the Water Company, also built himself a fine house there, in which his son now lives. The building of my house was one of the things in my life which I have never repented, and when I had to go up to Cairo, my sole regret was leaving my house behind.

The summer and winter of 1895 passed without any particular event occurring to break the monotony. Plague broke out in an epidemic form in the spring of 1896, and there was a stampede for Europe. In reality there had always been plague in an endemic form in Egypt, though the doctors put the symptoms as those of another disease. Then they became scientific, and announced the arrival of plague in our midst. Everyone, of course, imagined that we were going to have an epidemic similar to that which raged in India, but the outbreak boiled down to a few cases here and there, mainly among the least cleanly part of the population.

In the summer of 1897, after I had been home again, it was my partner Aicard's turn to go away. On his return we revised our business arrangements. All money either of clients, or advances paid by them for Court fees, were to be placed in the bank in a separate account in our joint names, but I alone was to have authority to sign cheques for withdrawals. The style of our association was to be changed from Aicard and Marshall to Marshall and Aicard. When we had entered into partnership, Aicard suggested that our names should be placed in alphabetical order, and as this seemed to me a matter of no importance at the time, I consented. On Aicard's side it was part of the egoism which was such an outstanding trait in his character, and I am sure this change was much more difficult for him to accept than the question of the financial arrangements.

The same year, my name was submitted as one of the candidates for the Mixed Bar Council. Aicard was sure that I did not stand a chance of being elected, but that I was certain to be elected as a member of the Alexandria Municipal Council at the forthcoming elections. The election for the

Bar Council took place on the 25th November, 1897, lasted several hours, and was very closely contested. The reason for this was that a candidate must have what is called under the system in use an absolute majority. As every voting paper was opened, I was astonished at hearing my own name read out, and I polled only one vote less than the ex-Batonnier, or leader of the Bar, whose term of office was completed, and who is always elected a member of the ensuing Council. It was a veritable triumph for me, and I must have had many friends amongst all the nationalities of which the Bar is composed. One of my great supporters amongst the Greeks was my friend Roussos, who afterwards became respectively Greek Minister at Washington and Greek Minister for Foreign Affairs.

I was soon put out of my misery, as I had obtained an absolute majority *au premier scrutin*; not so with most of the others, and I thought the counting was never going to end. To my election as a member of the Mixed Bar Council I look back with more pleasure and pride than to anything else which befell me during my career in Egypt.

Somewhere about the beginning of November, I had received a telegram from Sir John Scott, the Judicial Adviser, asking me if, in the event of the position being offered me, I was prepared to accept a judgeship in the Court of First Instance of the Native Tribunals. After much consideration and cogitation I replied in the affirmative. In point of salary, it was not to my interest to accept it, as I was making more at the Bar. On the other hand, my health was not good, and I am sure I could not have passed any medical examination, had there been such a thing at the time. I was tired out, and that, I think, more than anything else, induced me

to accept. I was sure of regular pay, and a pension if I lived long enough, also of being able to get away every year if I could afford it. I was examined in Arabic, and I confess I did not distinguish myself. The paper was too technical, and the words were unfamiliar to me, though at that time I could speak the language quite fluently in everyday matters. Then Scott wrote to me and said I had better give up all thought of a judgeship, but that it probably would not matter very much to me, as my prospects at the Bar were so good. Lord Cromer, however, held a different opinion from that of Scott, and I think that possibly my election as a member of the Mixed Bar Council may have had more to do with it than met the eye. In any case, Scott wrote me on the 30th of November a letter which showed that he had either changed his views, or they had been changed for him :

“ I have decided to submit your name to the Council of Ministers for the vacant post of Judge of First Instance at Alexandria. I hope that my proposal will be accepted. It emanates from the Minister, of course, who has agreed with my recommendation. I take the opportunity of adding that in our opinion, at the Ministry, you will be of immediate service on account of your knowledge of law and practical experience as an advocate. But the service must be limited until you are better acquainted with the language of the Native Courts, and I am sure you will do all you can to remove that obstacle to usefulness as a Judge. There is another observation I allow myself to make. All promotion depends on success in First Instance. It is not a matter of seniority—though seniority counts—but it is a matter of merit. My idea of a Judge is a man who knows his law, who works hard, who gets on well with his colleagues, and who ceases, from the

moment he is named, to take part in any political faction or does anything derogatory to the judicial post he holds. We English have much to do to maintain and increase the prestige of the Native Tribunals, and each member should help the thing forward in every way."

Some few days before I received this letter from Scott, a paragraph had appeared in the *Egyptian Gazette* definitely announcing my appointment. Scott was very angry about it, and accused me of having inspired it. I took his letter to the Editor, and asked him to tell me where he had obtained his news, and he said that Wilson, *The Times* correspondent, had given it to him. I was getting rather fed up with the whole business, and feeling rather sorry at the back of my mind that I had said I would accept a judgeship, for it began to occur to me that, whatever else a Judge was expected to be, he at any rate was going to sacrifice a good deal of personal independence. The whole thing still appeared uncertain, and I have always hated uncertainty. I had, of course, to make my arrangements with Aicard, but until my appointment appeared in the official journal I felt I could not even do that definitely. Finally, however, the appointment was officially announced, and I was then able to turn my attention to Aicard and his affairs. Mr. W. R. B. Briscoe had succeeded my old friend Royle in his practice, when Royle had been made a Judge in the Native Court of Appeal about twelve months before. The best solution seemed to be that Briscoe and Aicard should amalgamate and join the two practices, which would mean an economy of staff and chambers. Both were very pleased with the idea of the amalgamation, which lasted until Briscoe left Egypt. I had certainly

sown in getting together the practice, but it was Aicard who reaped the benefit of it. Even when I was still a Judge of First Instance, he was making over £8,000 a year. I arranged with him that he should give me half the fees of the cases we had in hand at the time of the dissolution of our partnership, but I could never get a statement of accounts from him, and had to take what I could get in the end. After my elevation to the Bench, I saw very little of him, and some years later he died of appendicitis while still a young man, and with apparently a great future before him.

On the 18th December, 1897, the *Egyptian Gazette* published the following notice of my appointment :

“ Mr. John Edwin Marshall, whose appointment to a Judgeship in the Native Court of First Instance has now been officially announced, belongs to a family long and honourably connected with the City of Durham, where, for several generations, his ancestors have occupied important legal positions.

“ Mr. Marshall has had the advantage of a double legal training, both as a solicitor and as a barrister. He was in the first place articled to Mr. T. Cousins, Solicitor of Portsmouth, formerly Magistrates' Clerk, and now himself a Justice of the Peace for the Borough and Chairman of the Portsmouth Chamber of Commerce. Mr. Marshall passed all the examinations necessary to be admitted as a solicitor, but then determined to follow the other branch of the profession, and in October 1886 he entered at the Middle Temple and was called to the Bar in 1889. After a visit to his brother, then and now stationed in India, Mr. Marshall settled in Alexandria at the end of 1890, and was in due course admitted an Advocate in the Mixed Tribunals. Thereafter Mr. Marshall was joined in partnership with Maître Aicard, and in that association he has since carried

on a considerable and increasing practice both in H.B.M.'s Consular Courts and the Mixed Tribunals. Mr. Marshall has more particularly identified himself with matters of commercial importance; and he has published a very useful and comprehensive treatise on the Courts of Egypt from a commercial standpoint. As one of the Honorary Legal Advisers to the British Chamber of Commerce in Egypt, and a correspondent of the London Chamber of Commerce, he has rendered very material assistance in developing the jurisprudence providing for the protection of Patents and Trade-marks in Egypt. For his services in this and other matters, affecting particularly British interests, Mr. Marshall has received frequent acknowledgments from the Foreign Office, and from representative Mercantile Associations.

"At the election held in November last, Mr. Marshall was elected a member of the Council of the Order of Advocates, and he was subsequently nominated Treasurer of the Council. We believe that Mr. Charles Royle is the only English barrister who had previously enjoyed the distinction of being elected by his confrères as one of the representatives of their very cosmopolitan body.

"Like several others who have attained to important judicial positions, Mr. Marshall, in the early part of his Egyptian career, was associated with the *Egyptian Gazette* as an occasional contributor and leader writer. The new Judge is still a young man, and has gained a varied legal experience from seventeen years' practice. He is a good French scholar, and has a considerable and literary knowledge of Arabic, so we venture to predict that in due course he will earn and obtain further promotion."

The British Chamber of Commerce in Egypt, to which allusion is made in the foregoing, was the



idea of Lord Cromer, who wanted some representative body in Egypt which he could consult and whose opinions he could quote, although probably only when they agreed with his own. He instructed Sir Charles Cookson to sound the British commercial community at Alexandria on the subject, and Sir Charles turned over the drafting of the rules and regulations to me, as he had been in the habit of doing for some time with all documents which required a legal draftsman. The Chamber is now firmly established as one of the British institutions in Egypt, and does very good work.

On one occasion, the Chamber advocated to Lord Cromer that the lock dues on the Nile were a great impediment to commerce, and suggested their abolition. Lord Cromer sent word that he would receive a delegation of the Chamber at the British Consulate at Alexandria. This was looked upon as an important event, and a case was carefully prepared *ad hoc*. The late Mr. Duke Baker, who spoke the most faultless English, was to speak on behalf of the Chamber. He opened his mouth to begin, but before he could utter a word, Lord Cromer said, "Gentlemen, I have been bolstering up the finances of Egypt for a great many years, and I cannot abolish anything which is a source of revenue. Good morning, gentlemen!" It was very characteristic of Lord Cromer when he was in a certain mood.

When my appointment as a Judge was gazetted, I received a wire from Sir John Scott asking me not to take my seat on the Bench until an important criminal case was terminated. This was a case in which an English employee of the Aboukir Company had been waylaid and murdered as he was on his way from one part of the Company's property to another with a considerable amount of money in his

possession, which it was known he was carrying. Alston, whom I was replacing at Alexandria, had made a careful study of the case, and it was obvious that he should stop and hear it. I went up to Cairo to be sworn in, however, and this case was the means of giving me a Christmas holiday, which otherwise I should not have had.

I discovered that no one at the Ministry of Justice appeared to be particularly concerned about me, or offered to do any of the things which it was their obvious duty to do. I had to go and thank the Khedive for having appointed me, and it was part of the Minister's job to take me and present me to His Highness. In the end I went to the Palace by myself, and told the Master of Ceremonies what I had come for. He was very hesitating as to whether he might ask the Khedive to receive me, and wanted to know whether I had ever been presented. I said I had not, but that, as His Highness had thought fit to make me one of his Judges, it was also probable that he would receive me. In a few minutes he came back and said His Highness would give me an audience. The Khedive was charming, and I always found that, whatever faults he may have had as a ruler, lack of personal charm was not one of them. I always got on with him very well, though my relations with him were more or less of a ceremonial nature. I remember some years afterwards stopping with the late General R. H. Murray after he had retired, and he said that though he had fought in Egypt and been wounded at the battle of the Atbara and commanded the British troops at Alexandria, he had no Egyptian Order. On my return I went to pay my duty visit to the Khedive, and told him that I had been stopping with the Murrays, whom I knew he liked

very much, and that the General had asked me to convey his duty and respects to His Highness. Whereupon the Khedive asked whether he could do anything for General Murray. This was my opportunity, and I told him how much the General would appreciate an Egyptian Order. The Khedive was not on good terms with Lord Cromer at the time, so he asked me if the Order would have to go through Lord Cromer's hands. I said I thought not, as the General was now retired. I was wrong, for when Murray applied for the King's permission to wear it, he was refused, and told that the proper channel was through the Agency in Cairo. Lord Cromer did not think much of Egyptian decorations, and looked upon them as scarcely worth the paper they were written on, and would not help. The Khedive, of course, would ask no favour of Lord Cromer, and I heard was not very pleased that I had unwittingly misled him. I do not know how the matter ended.

The next business was to be sworn in before the President of the Court of Appeal. An appointment ought to have been made for this purpose by the Ministry of Justice, but that Ministry might almost be said to have taken no further interest in me. So one day, dressed in full ceremonials, I went to the Court of Appeal and presented myself to the President and asked him to administer the oath. He was evidently a suspicious man and seemed very reluctant to do this. In fact, I do not think he would have assumed such a responsibility if Sir Walter Bond, one of the English Appeal Judges, and whom I did not know at that time, had not vouched for me. No one seemed particularly anxious that I should proceed to Alexandria and take up my post, but it occurred to me that perhaps

the financial part of the institution might not be so lax, and it might be a case of no work, no pay. I was quite right in my estimate, but I was able to plead that I had not taken my seat on the day I was gazetted for the reason that I had been requested not to do so, and therefore I claimed my pay from the day of my appointment. Eventually, after much haggling, it was given to me.

After having completed all the necessary formalities in Cairo, I had no longer any excuse for stopping there, so I went back to Alexandria to take up my new work. The next day I went to pay my respects to the President at the Court. I found him to be a red-haired, blue-eyed man with a freckled face, and nothing typically Egyptian about him except his name, which was Hassan Gellal Bey. He was very polite, and showed me all over the place, even unto the cellars. But he did not draw my attention to the ceiling of one of the rooms upstairs which had been the ball-room of the palace before it was rented by the Government, and which was decorated by realistic paintings of nude women—most incongruous in a Court of Justice! I subsequently found Mr. President to be a very strict Mohammadan, and a good man according to his lights. The Egyptians looked upon him as a kind of saint. He was a very hard-working and conscientious Judge, with an excellent knowledge of law, but sticking always very strictly to the letter of it rather than to the spirit. I remember once we were hearing misdemeanour appeals. A man had been sentenced to a term of imprisonment by the Summary Court Judge, and though we all agreed that he was not guilty of the offence with which he was charged, he had been a day late in lodging his appeal. Gellal said the law must take its course, and the sentence

must be confirmed. It seemed to me too severe a punishment for an act of negligence, and I tried to get Gellal to stretch a point, but he would have none of it. I then told my other colleague, a Copt, that I would take the responsibility if he would join me and outvote the President, which he did. Of course, in law it was all wrong, but in justice it was all right. I always got on well with Gellal, but he was a tiring man to sit with, as through conscientiousness and obstinacy, and perhaps not being too quick witted, he made rather heavy weather of his work. Every litigant always got a good run for his money, and whether Gellal's decision was right or wrong, it was only arrived at after he had given it most careful consideration.

I remember on another occasion sitting with him when we were both in the Court of Appeal. He and his native colleague could not agree, and had been shouting at each other in the Judges' room for about an hour. Gellal asked me if I would take the papers home with me and read them again carefully. I replied that I would not, as I had made up my mind long ago, and that I absolutely disagreed with him. Unlike some native judges, he never bore any ill-will if one was against him in deliberation. He took copious notes of everything that was said in Court, and what with that and shouting and arguing every point with Counsel, it was not much wonder that occasionally he said his head was spinning and that we must adjourn for a few moments. He had originally been the tutor of one of the Egyptian princes, with whom he went to Paris, and there he became a professor in the Sorbonne and at the same time took his degree in law. He was not a man of the world and knew little outside the routine of his rather narrow life. He stopped in the Court of

Appeal until he was sixty, and then retired under the age limit. When the limit was raised to sixty-five, he was persuaded to come back, and it was his undoing. Overwork brought on diabetes, and he died at Helwan after a long lingering illness, very much respected and regretted.

The Vice-President was a Syrian, Aziz Kahil Bey, whom I knew before I became a Judge. He was very different in character and disposition from Gellal. He was very intelligent and sharp-witted, sometimes much too quick. He was known to his colleagues as the "Waboor," or express. He spoke and wrote French like a Frenchman, and undoubtedly French was more his native language than Arabic, in which he could not claim to be a scholar. In criminal cases in the Native Courts, the President of the Courts always examines the witness. When he has done with him his colleagues on the Bench may put any questions, and after them comes the turn of the Public Prosecutor, and then that of Counsel for the Defence. The system has its merits, and certainly in the hands of experienced men it tends to shorten the proceedings. I have known Kahil examine nine witnesses in a murder case in twenty minutes. As soon as they entered the room he began on them, and by the time the witness was in front of him, he was ready to administer the oath, which is always done by the Court. I sat a great deal with Kahil, and he was an excellent judge, but it was always considered best that he should have two careful men sitting with him. He was naturally very staccato in his speech, and sometimes abrupt to the verge of rudeness. I remember the Judicial Adviser asking him whether he had read some circulars which had been sent to the Courts of the First Instance by the Ministry of Justice.

Kahil replied : "*Je ne les lis pas, je les déchire.*" It took the Adviser some time to get over it.

Kahil was one of the translators of Gabarti's famous reminiscences, and he had also written some books on law. I am afraid that he never liked me after a big murder case which we had at Alexandria, when we were sitting as Assize Judges from the Court of Appeal. Several murders had been committed in the Behera province, without apparent motive. To me, it almost appeared to be the work of some Egyptian Jack the Ripper, and obviously that of some madman with homicidal tendencies. Five men were charged with the murders, all bad characters, some of them having been amongst those exiled to the Khargeh Oasis as people more than suspected of crimes, proof of which could not be brought home to them. They had all confessed to the murders with which they were charged, which appeared to me to be suspicious in itself. I argued that men who had become notorious as evil doers but had never been found out were not likely to make voluntary confessions very easily. I also did not think very much of the evidence, but the men were very badly defended. They had no money to brief Counsel, and had to take the advocates assigned by the Court. As luck would have it, they were not fortunate, and as there were no fees the defence was very perfunctory. I saw that Kahil and my other native colleague had decided upon a verdict of guilty before we went into the deliberation room. I was for acquittal. At last the other two agreed that as there was such a difference in our views, the sentence would be penal servitude for life.

Of course, according to the strict letter of the law, I should not have mentioned the matter outside the deliberation room. There is a formal article in the

Code to that effect. I was so convinced that I was right, however, that I went to all the authorities and expressed my entire disagreement with the verdict. I felt the more impelled to do this because once before, when sitting with the late Kasem Amin Bey and Ahmed Ziwer Pasha, G.C.M.G., a late Prime Minister of Egypt, I had disagreed with my colleagues, but did not push the matter hard enough, and though two other cases clearly proved the men's innocence, they were allowed to die in prison. This was mainly because Rushdy Pasha, who was Minister of Justice at the time, thought it would excite prejudice against, and cause loss of confidence in, the Assize Courts if the judgment was interfered with. This time I was determined to go on to the end, whatever happened to me personally. I had evidently impressed the authorities, who said, "If Marshall says so, there must be something in it."

An enquiry was made, and it was found that the men still bore traces on their bodies of the flogging they had received five months previously to make them confess. Kahil's judgment was perfectly drawn, and left no loophole for the Court of Cassation. However, that Court stretched a point and ordered a new trial by other judges under the Presidency of the late Mohamad Saleh Pasha, the best criminal judge who ever sat on the Bench of the Native Courts. The result was that all the prisoners were acquitted. Of course, Kahil should have been pleased that he had escaped having caused an irreparable error, but such is human nature that whatever his feelings in that respect, he certainly was not grateful to me.

I do not think Kahil, in his heart of hearts, liked the English, but he had to make use of them for his own advantage and courted those whom he thought



might be useful. Whatever service he might render to the native party, he knew that they looked upon him only as a *Heytat Shami*, a bit of a Syrian, and whatever he did for them would not count if ever they came into power. His brother-in-law, the late Mr. Kebabi, had been at Eton, and was quite a well-known member of the English Bar in London. Kahil, just as he was approaching the age limit of sixty-five in the Native Courts, was appointed a Judge in the Mixed Court of Appeal, where it was said at first that he was "*trop vieux pour apprendre des nouveaux jeux !*" He has now reached the age limit there, but is apparently still full of vigour and energy, under the weight of seventy years.

Mohamad Saïd Bey was head of the Public Prosecutor's Department, an office which carried with it a Government seat on the Alexandria Municipality. He was a man with a big head which contained a good deal of cunning, *tête de Byzantin*. He was a pure Turk, and had been educated at the School of the Frères at Alexandria. He probably knew both French and Turkish much better than he did Arabic. He had the typical Turkish figure, with short legs which were ill-adapted for taking any exercise. He was hard-working, very patient and phlegmatic, but kept his ultimate object well in view, be it extracting the truth from a prisoner or a witness, or the achievement of his ambition. He had married a niece of Mazloom Pasha, and had very powerful protection apart from his own merits. He had been one of the Inspectors of the Court of First Instance under Sir John Scott, and when he was acting in that capacity there was a Judge at the Summary Court at Port Said, Mohamad Ragheb Bey, who had gone away on leave to Europe, taking with him the cases

that he had heard on the morning of his departure. He had said that he would send the judgments from Marseilles, having drawn them on board the steamer. No judgments arrived, and Ragheb was written to about them, but there was no reply. Then a cable was sent to him, ordering him to return at once, but he took no notice and eventually turned up at the expiration of his leave. He was then to be tried by a Council of Discipline, which would have terminated his career as a judge. Just before the Court was convened, Scott was present at a Council of Ministers, and one of the matters on the agenda was the appointment of a Vice-President to the Court at Beni Souef. The name of Osman Mortada Bey was mooted, but Butros Pasha, one of the Ministers, said he could not possibly be appointed after his recent indiscretion at the Palace. The Minister of Justice was then appealed to, but he could never remember the names of any of the Judges, and to get out of it, he said to Scott, "Whom do you think would be the best man?" Scott had the same failing as the Minister, and the only name he could think of was Ragheb, whom he recommended and the proposal was accepted. So Ragheb, instead of being dismissed from his office, was made Vice-President of the Beni Souef Court.

Mohamad Saïd was a protégé of the Khedive, but he had the reputation of being anti-English, although once, when talking to me on the matter, he said, "*Je n'ai jamais fait de mal, même au plus petit anglais.*" So far as my knowledge goes, he never did, but it is difficult to shake off a reputation, and he remained at his post in Alexandria for many years before he was promoted to the Court of Appeal. There he managed to get on the right side of Bond, the Vice-President.

Wilmore, one of the English Judges of the Appeal, was very anxious to be made a President of an Assize Court, but Bond would not have him appointed. Wilmore appealed to the Ministry, which had the last say, and Bond's decision was overruled. Ziwer and Saïd sat with him, and I think Saïd imagined that the way to please Bond was to make Wilmore's position untenable. Wilmore, who was the author of an Arabic grammar of some merit, would never have an interpreter. He used to sit up all night reading depositions, and never gave himself a chance of preparing himself for a strenuous day's work by a good night's rest. Most of the native Judges, too, in their hearts were averse to an Englishman presiding. Also he would write all the judgments whilst the Court was sitting, and he was very slow at it. Ziwer counselled Saïd to have patience, and remarked that it would not last for ever. Saïd, however, knowing which side his bread was buttered, sent in a report. After the vacation two other Judges were sent with Wilmore to see if Saïd had exaggerated matters. One of these was a Belgian, M. de Hults, a man with a very quick brain, and as he had no desire to stay away from Cairo indefinitely for the *beaux yeux* of Wilmore, his report was even more emphatic than Saïd's, and that ended Wilmore's presidency. On the termination of his fourth quinquennial contract he returned to the Consular Service, from which he had been seconded.

Mohamad Saïd had no desire really to stop on in the Courts. He saw that it was the end of all things so far as further advancement was concerned. He would have been content with the Governorship of Alexandria, where his home was. We were sitting together at the Tanta Assizes when the news came that he had been appointed a Minister. He had

not expected it and was proportionately pleased. He was, of course, the Khedive's man. My other colleague and I had outvoted him on several occasions, and he confessed that he must be tired, as he could not always be right. That he was tired was not much to be wondered at. After the day's sitting he would take the train to Alexandria, and as it was the month of Ramadan, he sat up most of the night paying and receiving visits. Then he caught the morning train back to Tanta to enable him to take his seat on the Bench. Saïd afterwards became Prime Minister of Egypt, a position which he occupied two or three times, and was given a G.C.M.G. by the British Government. He naturally occupied himself a good deal with politics when he was a Judge. I sat a good deal with him on Assize, and wherever we went he always had his little crowd of political hangers on, who believed that one day he might achieve a position of usefulness to them. The Egyptian politician always had an eye to the main chance. I always got on very well with Saïd, and I believe he suggested my name to Lord Kitchener as Director-General of the Alexandrian Municipality. Kitchener, however, told him that I was doing very well where I was, and that it would be a pity to move me.

Saïd was also anxious that I should be appointed Adviser to the Ministry of the Interior during one of his Premierships, and authorised me to tell Lord Kitchener how much satisfaction my appointment would give him, for he would be able to work with me as I knew the country so well. At that time there were strong and persistent rumours that Sir Ronald Graham, the titular of the post, was going to receive his promotion in the Diplomatic Service. I went to see my friend, the late Colonel Fitzgerald,

on the matter, and he said they had no definite news, but that it was no good going to see Kitchener before Graham's fate was decided. He said also that I could not have a stronger recommendation than Mohamad's Saïd's wish. It was the one post in Egypt that I had always coveted, but the fates were against me, and I was destined to remain tied to the wheel of the Courts until the end of my career.

Mohamad Saïd was, apparently, not an extravagant man, and yet he was always hard up. As a sop, he was given the management of an Egyptian Prince's estate, and from this he received quite a handsome income. This Prince shot at and severely wounded the present King, many years ago. He was then shut up in a private asylum in England, from which he escaped last year. The King was shot in the Mohamad Ali Club in Cairo, and a Greek member rushed off to inform Lord Cromer. Cromer's only comment was, "Do you think it will have spoiled the dinner at the Club?"

Ibrahim Fuad Pasha was Minister of Justice. He was a thoroughly lazy, kindly old man, and loved nothing better than to sit at home in his *galabieh* and *pantouffles*. He was very lucky all his life, and never found work too hard or responsibility too great. Work he always shunned, and responsibility he always avoided. When he was President of the Alexandria Court of First Instance, he went on two occasions to try offences against by-laws in the Contravention Court. Each day there were between 150 and 200 cases. On the first day, Ibrahim Fuad had all the defendants ushered into the Court, and without asking them a question, or hearing the charges against them, he said, "All acquitted!" On the second occasion he followed the same

procedure, but fined them all one shilling. Those were the good old days !

Ibrahim Fuad was an ideal minister for his time, and was a striking proof that the race is not always to the swift nor the battle to the strong.

Abd-al-Khalik Sarwat Bey used to come down to Alexandria very frequently. He was then Secretary to the Judicial Adviser, Sir Malcolm McIlwraith, K.C., in an ostensibly subordinate position. I should say that he was of Moroccan descent, as neither in appearance nor in character did he bear much resemblance to the Egyptian. Of course, he is an Oriental, and has the mentality of an Oriental, but his political outlook may be said to verge on European ideas. He is now a great man in Egypt, and when he goes to London he has an audience of the King, and is generally fêted and made much of. When acting as McIlwraith's secretary, he was a Judge of First Instance, and his position was certainly one of great importance. He always had his little crowd of courtiers round him, and even then must have had his eye on a political career. Unlike most of the men who have had similar advantages, he was always learning from his contact with Englishmen, and when his time came he was in every way fitted to play his part. He is in no sense a fanatic, and his views are usually very clear and sound, and he is certainly a man of very considerable ability. He has no wish to see his country become too Orientalised, but he is not a big enough man not to shout with the crowd, whatever his private opinions may be, though they are usually likely to be sound and full of common-sense. It is a pity that men of his calibre and vision have not the courage to force their opinions on their more ignorant and somewhat fanatical countrymen. If they

had personality in proportion to their ability, then there might be some prospect of Egypt governing herself in a way that would commend itself to Englishmen and the foreigners living there. There is always something lacking in the best of Oriental statesmen, *le tout petit, je ne sais quoi*. They will go so far with you, and then at the end, when you imagine everything is settled, they go off at a tangent, and the whole position becomes hopeless. Sarwat privately was very much averse to the wholesale exodus of Englishmen from the Egyptian services. He was fully cognisant of what Egypt owed to their labours from the point of view of organisation, honest work and initiative. He knew they were the motive power in the machine of Government, and he was equally aware that the Egyptians, with very few exceptions, were incapable of carrying on the great work of Lord Cromer. Like everyone else, he realised that, of late years, there were too many of them, especially in subordinate positions, and that these could very well be dispensed with and their places filled by Egyptians.

I suggested to him when he was Prime Minister that every foreigner in the Egyptian Civil Service should be given his compensation and pension, and that the Egyptian Government should select from them about three hundred men of proved capacity and worth who were essential for the good government of Egypt. These should be taken on contracts at their value in the labour market. He agreed with me and said that the proposal was absolutely sound. Later on, when I found that nothing had been done, I asked him whether he was still of the same opinion, and he replied that he was, but that none of the others would agree with him. I urged the same proposition with the British authorities, but

they too were against it. About three years later, I found that my ideas had been adopted in their entirety.

While Sarwat was still McIlwraith's secretary, he was offered and accepted a judgeship in the Court of Appeal. I only sat with him on one occasion while he was there, when he replaced one of my colleagues, who was a connection of the prisoner, in a big murder trial. I was impressed by his clear-sightedness and ability in unravelling a tangled skein. It was like what sitting with an Englishman who knew the country and its language perfectly would have been, if there were any such to be found. Sarwat only remained a few months in the Court of Appeal. Colonel Machell, who was then Adviser at the Ministry of the Interior, was on the lookout for a good Governor for the Province of Assiut, and Sarwat was offered and accepted the post. He was not cut out for the work, which he neither liked nor for which he was temperamentally fitted, and he was not a success. At the same time he gained some experience of the work in the provinces, which must have been useful to him at a later period in his career.

His next step was his appointment to the post of Procureur Général (or Chief Public Prosecutor), where he ranked next to the President of the Court of Appeal. There he was thoroughly at home and did most excellent work. Then he became a Minister, and subsequently Prime Minister of Egypt. It was Sarwat who was responsible for the famous Declaration of February 1922, which culminated in the so-called recognition of the independence of Egypt. Shortly before the presentation of his ultimatum, for one can call it nothing less, Sarwat thought he would find the position of Prime Minister very irksome. He would be between the hammer and the anvil—that is, between the



Residency and the Palace of Abdin. He could not please them both, and he wanted a pretext for refusing the post. This he thought he would find in the presentation of his ultimatum, which he felt certain would not be accepted by the British authorities. To his great surprise, and probably consternation, Lord Allenby took it like a lamb, and exerted all his influence to secure its acceptance by the British Government. It has been the cause of all the subsequent trouble in Egypt, and is a reflection on the British statesmanship of the time which will astonish the historian of the future.

Sarwat became Minister of Foreign Affairs in the Adly Cabinet of 1926, but his hands were very much tied, as Zaghlul absolutely commanded the Chamber of Deputies, and would not afford Sarwat a free rein for any of his commonsense and practical ideas. In person Sarwat is inclined to stoutness, to combat which he takes much walking exercise. He is distinctly sympathetic, with good manners, and a pleasing appearance, and in my opinion is the only man amongst Egypt's politicians who can in any way be classed as a statesman. He may appeal to the more intellectual and reasonable people in Egypt, but he will never be the leader of the shouting mob. Like many other Egyptians, he has, of course, grown wealthy through the vast improvement in the value of land effected by British irrigation engineers, without any effort on his own part. It is a curious fact that like so many Egyptians of his age and standing, Sarwat never thought it worth his while to learn English, in spite of the position which he occupied for so many years in an English *milieu*. I have always been on terms of friendship with him, and I hope, in sketching his career and character, I have not been too much the candid friend.

## CHAPTER VII

### MUSTAFA FEHMY PASHA

ONE of the pleasing experiences of my sojourn in Egypt was the friendship that developed between Mustafa Pasha Fehmy and myself, and I formed the habit of spending two or three hours with him at least twice a week at his house at Gezira. He was a very aristocratic, distinguished-looking man, and a gentleman to his finger-tips. In his farewell speech, Lord Cromer said that he was the greatest gentleman he had ever met.

Strangely enough, I could never find out what was his country or origin. He certainly was not an Egyptian, and I think he must have been born in Crete. He was Governor of Alexandria when Ismail was deposed, and gradually mounted the rungs of the ministerial ladder until he became Prime Minister. He held the position for fifteen years during Lord Cromer's time, and was still holding it when the latter retired. But soon after Sir Eldon Gorst succeeded Lord Cromer, Mustafa Pasha Fehmy found the change too marked to suit him, and retired. Lord Cromer and Mustafa did not by any means always agree, but when their views differed, Lord Cromer would put the papers in a drawer to be referred to again when they both had had time to reconsider the matter under discussion. In that way they arrived at very wise conclusions without friction. Both of these men were absolutely honest, and they respected each other's opinions. Both knew that both were inspired

simply and solely by a desire for the welfare of the Egyptians, and the good of Egypt generally. These two men formed a happy combination, and neither before nor since has England had in Egypt a Prime Minister upon whom she could so confidently rely.

There is no doubt that Mustafa was a great statesman. The many hours I spent in his society convinced me of that, and my only regret is that I did not record our conversations at the time. From him I learnt the secret political history of Egypt. His views were always sound, and never dictated by passion or prejudice. Self-interest was a thing he never even thought about. He began life as a poor man and always lived as a Grand Seigneur, but had it not been for his son-in-law, Mahmood Sidky, he would have been very badly off. Sidky induced him to hand over so much of his salary every month, and when it had accumulated, he bought land which, under the British irrigation engineers, increased enormously in value. The Pasha had always enough money to support his dignity, but he was no business man, and had it not been for this foresight of Sidky, he would have been obliged to live on his pension. I think he looked upon money in the same light that Disraeli did, that it was only those "rascal counters," which, though necessary, he did not care for, except in so far as they were essential to the maintenance of the dignity of his position. He was never a robust man, and never sat in a room with a window open. When he went for a drive in his curious old-fashioned box of a carriage, the windows were always kept tight closed. He was not intellectual, and his whole being was wrapt up in the welfare of Egypt. He was always on bad terms with the Khedive Abbas Hilmy. The dislike was mutual, but I have an idea

that the Khedive respected Mustafa in spite of his antagonism. I cannot truthfully say that I think Mustafa had any respect for the Khedive. It was only Lord Cromer's staunch and ever present support which kept him in office. When he resigned his Premiership at the beginning of the Gorst régime, the Egyptians, as is their wont, began to belittle him. They seemed not to realise how much he had done towards building up the prosperity of their country, and how anxious he was that Egyptians should be educated to take an honourable part in the administration of the land. He drew a wide line between education and instruction, and fully realised the importance of that education which should begin in the homes of the people and at the knees of their mothers. He was no worshipper of the Khedivial family, and he remarked to me hundreds of times that, so long as there was a member of the family of Mohamad Ali at the Palace of Abdin, the English would always have trouble in Egypt. They always have had, for Abdin Palace has formed a nucleus round which the politically minded could gather and intrigue. Mustafa well knew that intrigue was the life-blood of the Egyptian, and almost as necessary to him as his daily bread. He knew too that Mohamad Ali's descendants were permeated with the glory of their illustrious ancestor, and that they all thought they could be equally great, given the chance. The fact that times had changed, that circumstances differed, made no impression on their outlook. They were of the blood of Mohamad Ali, and that was enough for them, and ought to be enough for anyone else. They failed to realise that with the opening of the Suez Canal, Egypt had become a corridor country, and that England could not allow

Egypt to be governed in any haphazard fashion which might commend itself to the ruler of the moment, or be inspired by his satellites. That even had England been willing to allow this, there were other countries which had acquired interest in the good government of Egypt, and who would step in if England failed in her obvious duty.

All these things were clear as the sun at noon-time to Mustafa, and he had no illusions that Egypt could furnish men sufficiently imbued with that sense of duty, probity and honesty and above all freedom from intrigue and self-seeking to enable the country to be governed as it should be, both from an internal and external point of view. For his great services, Mustafa was made a G.C.B., and I think the recognition pleased him. He was the only Egyptian who ever received such a high order of distinction.

Like Lord Cromer, he played patience, which he said was a great antidote for mental worry. He was always abstemious both in eating and drinking.

I could not help thinking that as Mustafa advanced in age, Zaghlul did gain some influence over his father-in-law. I may be mistaken, and have been assured by Ermolli Bey, who was his secretary when he was Prime Minister, and who was always in his confidence, that this was not so. Mustafa had then lost his wife, and must have felt rather lonely sometimes, in spite of having three married daughters who lived in Cairo. It was at this time that Zaghlul and his brother Fathy began to pay him a great deal of attention, and it did appear to me that they were trying to gain an ascendancy over the Pasha, whose support would have been of great use to such political adventurers. Zaghlul, I

remember, was trying to learn German at that time, and talked about *zu Hause*, and such-like phrases. I suppose he was preparing in his own way for the war between Germany and England, which Germany was to win. It had never been worth his while to learn English. I think the only thing British that he had any liking for was Scotch whisky.

In the spring of 1914 there happened one of those common events in Egypt, a ministerial crisis, and Lord Kitchener was very anxious that Mustafa should accept the Premiership. The Khedive Abbas was equally anxious that he should not be made Prime Minister. Mustafa himself was very reluctant to take office again, and felt that the cares of state might be too much for him. Kitchener, however, was very insistent, and at length the Pasha was prevailed upon to say that if his medical adviser, the late Dr. Herbert Milton, agreed, he would accept. Milton made a careful examination, and said that Mustafa might take office, but only on condition that he had no portfolio. He at once set to work to form his Ministry, but to his astonishment and indignation, he read in the following morning's papers that a Cabinet had been formed in the midnight hours, with Hussein Rushdy Pasha as its President. Had Lord Kitchener been talked over by the Khedive, who was always very plausible? Kitchener was no match for him, despite his long acquaintance with the East. To throw over a man of Mustafa's character seemed to me an act of mental aberration difficult to understand or pardon.

The Pasha told me all about it at San Stefano, where I went before going on leave, and the telling occupied two hours. Mustafa's great complaint was that Kitchener, after begging him to accept the post,

had thrown him over without showing even the common courtesy which the circumstances demanded. Mustafa said that it was incredible that any Englishman could do such a thing, let alone one holding Lord Kitchener's position in Egypt. He had always liked the English, and still liked them, for that matter, but the affair had been a great blow to him. He intended, he said, if his health permitted, to go and see Sir Edward Grey, and tell him all about it. War broke out when he was in France at some spa. Zaghlul and Sidky, his two sons-in-law, hurriedly brought him by automobile to Marseilles from somewhere hundreds of miles away, and the strain proved too much for him. They got him as far as Ramleh only to die. Undoubtedly the journey caused his death. Thus passed out from Egyptian history one of the finest and best men who have ever adorned its pages. I never saw him after my last visit to San Stefano. He was dead before I returned to Egypt, but I often wondered what he would have thought of the turn that affairs have taken in his country. I am quite sure he would never have approved of Zaghlul's methods, nor the hurrying of Egypt into the ways of chance and revolutions.

Of my other colleagues at Alexandria, the one I liked best was Ahmed Khaled Bey, a staunch and good Mohammadan. He was very much feared by most of his colleagues on account of his bitter tongue. He was a very big man, and I remember once when I returned from leave he took me in his arms and saluted me on each cheek. He must have seen the look of astonishment on my face, for he never repeated the performance. He spoke no language but Arabic, and I think he thought the only thing lacking about me was that I was not a

Mohammadan. He was not in any way fanatical, except as regards Copts, whom he could not tolerate. I sometimes had to go to his house and have a meal. It was rather an ordeal, but I could not offend the old man. I remember on one occasion my fellow-guest was Ibrahim Murad Pasha, who looked after Khaled's land, and advised him generally with regard to his estate. At luncheon, for which there were knives and forks, Murad frankly began to eat with his fingers. Khaled started with a knife and fork, but very soon relapsed. He had built himself a very nice house at Alexandria, and he was so methodical that he had calculated out the additional expense it would be to him, even down to a packet of candles. Later he was very anxious to go on the pilgrimage to Mecca, but he wanted to go at the expense of the Government, and was finally appointed as Treasurer. He had to ride a horse, an animal he had never bestriden before, in the Mahmal procession in Cairo. I was a Judge in the Court of Appeal then, and I warned Khaled to be careful about the money, a considerable sum. He said that his functions were purely nominal in that respect, and that the money was guarded by soldiers all the time. As ill-luck would have it, the money was stolen from the train by an expert thief, who was a Copt. He would never have been caught if his wife had not given him away many months later, actuated by jealousy. How he managed to remove the heavy chests filled with silver, with the guard all round at the time, it is difficult to imagine.

Khaled was the scapegoat, and when he reached Suez he was ordered to return, and was replaced by another Treasurer. It was hard lines on the old man. He had all the responsibility, but was deprived of the means of making that responsibility



effective. He managed to sell at Suez all the provisions and things he had taken for himself and some poor people whom he was treating to the pilgrimage. And, what is more, he got what the things had cost him, and perhaps also even made a small profit. He said it was a judgment from God because he had not wished to spend his own money on His service. The following year he went at his own expense, and on his return was received by the Khedive, who asked how the people of Mecca were getting on. Khaled cherished a grudge against the Khedive for recalling him the previous year, so he replied that the people of Mecca were well, but were awaiting the arrival in their midst of His Highness—as a pilgrim. The Khedive had not then been to Mecca, and probably had no intention of going.

My colleagues in the Court of First Instance treated me very well, and, as good luck would have it, nothing untoward occurred during the seven years that I remained in their midst. There were no judicial scandals, and the work of the Courts was done well and conscientiously. I was given a good deal of credit for this without in any way deserving it, as I never unduly asserted myself or attempted to interfere in any way with the administration. Indeed, I never had any cause to do so, and should simply have been a busybody had I acted otherwise than I did.

At first my work was comparatively light, in that I did not sit as often as I did when I became better acquainted with the Arabic language. Later on I began to have almost too much to do, and was pulling my oar with any of the Egyptian Judges. Of course, it is ten times as hard work for the

European as it is for the native, on account of the language, and the habits and customs of the country. It must also be taken into consideration that the native has been at it all his life, which is not the case with the European, who begins his work at a much later period. I was thirty-three at the date of my appointment, and was perhaps younger than many of my English colleagues when they were made Judges. I had also had seven years' training at the Bar of the Mixed Courts, which none of them, except Royle, had had, and which served me well. They were happy years, but the pay was bad, and for that reason it was necessary to have promotion. Two vacancies did occur, but I had no chance of obtaining either.

In the Courts, I was very soon given more work, and put into the Misdemeanour Appeal Court. We had anything from eighty to one hundred cases to get through in a sitting. I was given five to begin with, then ten, and ultimately half of them. A *précis* had to be made of the charge, the evidence and the judgment of the Summary Judge. These reports were read out by the Judge who had made them in open Court. Then the judgment was either quashed or confirmed. We had to read out at some pace, and I had always to rehearse my reading at home to see if I could read the Arabic in which they were written. It was a great experience, and taught me not only to read Arabic with facility, but also to gain knowledge of the people.

Abd-al-Fattah Yehia Pasha was the only one of my colleagues in the Court of First Instance who afterwards obtained ministerial rank. He became Minister of Justice, but held the position only a short while. He was quite a good Judge, and a very pleasant man, but conceited. His recreation

was gardening, and he was quite a successful grower of roses. His father, Ahmed Yehia Pasha, was full of energy, and built himself a beautiful house at Ramleh. He began life as a not very successful druggist, and it was said that at one time he used to hand the coffee-cups round in the *Daira* of the Princess, whose estate agent he ultimately became. From that time on he began to grow rich, and as far as money-making was concerned, he showed extraordinary insight. He always made a point of leaving Egypt on the same ship as Mustafa Pasha Fehmy, and made himself so useful to the Pasha that the latter ultimately conferred a Pashadom upon him. So long as Mustafa was Premier, no one could have been more assiduous in his attentions than Ahmed Yehia. When Mustafa ceased to be Prime Minister and was looked upon as a back number, Ahmed Yehia rarely went near him.

Of the three Egyptian princes I have known, Prince Ibrahim Hassan had been educated at Harrow, where he took the English literature prize, and had then gone to Sandhurst, where he passed in and out very high. But he had never done anything with his abilities. None of the Egyptian princes have ever cared to take any part in the administration of the country. The reason which I have heard them give is that they consider it derogatory to work with any of the public men, who, they say, are the children of their slaves.

Prince Omar I have known ever since I went to Egypt, and he is a man one cannot help respecting, even though it is well known that he is hostile to the British rule in Egypt. He is a tall, good-looking, aristocratic man of dignified bearing, who leads an exemplary life. He is now very wealthy, but that is due in a great measure to his own exertions, *plus*

the work of the British irrigation engineers in Egypt, and the genius of Lord Cromer. His father died when he was quite a boy, and he took over estates that were so heavily encumbered that had they been liquidated at the time there would not only have been no surplus but actually a deficit. He set to work to get himself out of the wood, and not only did he work as hard as any business man himself, but he got the right kind of Europeans to assist him. In the end he paid off the encumbrances and was free of debt. He is one of the very few good business men amongst those of high rank in Egypt. I do not know that this dislike of the British extends to individual Englishmen merely for the fact that they are Englishmen. He is, I think, always somewhat aloof, both with natives and foreigners, but there is no doubt that he has a good deal of influence in political circles, when he cares to exercise it. Had he been less uncompromising, he would have made an ideal sovereign for the country, if he could have been prevailed upon to accept the post. He would always have commanded respect, and I am sure he would have known how to enforce obedience.

Prince Mohamad Ali is also a good-looking, aristocratic man, very much a prince, but a very genial and charming prince. He has a beautiful house and garden on Rodah Island in Cairo, where he lives in the winter. He is a very great and observant traveller, and his accounts of his travels are both interesting and amusing. He is a great horticulturist, and his garden is filled with all kinds of uncommon plants and trees. He is a very strict and orthodox Mohammadan, and neither smokes nor drinks. He will leave any company at the fixed hours of prayer to perform his religious duties, but

at the same time there is no parade of religion. He is very Anglophile, though why he should be so, except from conviction, I do not know, as he has not been too well treated by us on many occasions. When his brother was deposed, it would have been almost natural to think of him for the throne, and the fact of his never having married should have been, from a political point of view, a factor in his favour.

## CHAPTER VIII

### PROMINENT BRITISH OFFICIALS

It was during one of the Bairam holidays that I first met Sir William Brunyate. I went down to the beach at San Stefano and found him there, stretched out at full length, reading and smoking. I introduced myself and found him quite pleasant. He had just come from Khartoum, where he had been helping Lord Kitchener to make laws for the Sudan. From what he told me, he and Kitchener appeared to have got on very well, but Brunyate at that time had not developed into the Brunyate of a later period in his career. He was a Second Wrangler at Cambridge, and had beaten the Senior Wrangler for the Smith Prize. He had then been called to the Bar, and he and Sir Malcolm McIlwraith had lived on the same staircase in Lincoln's Inn. It was McIlwraith who brought him out to Egypt, where his job was to "vet." the English business contracts of the Egyptian Government. I well remember that he was reading the Egyptian Code when I first met him.

He was a ponderous man, but I believe he had really a very kind heart. One of his brothers attained great distinction in the Indian Civil Service, and I believe another was a well-known doctor. He was very hard-working and pertinacious, and never let slip an opportunity for securing advancement. Despite his Nonconformist upbringing, he became a pillar of the Church in Cairo. He was, of course, a very able man, but not a lucky one. He became successively one of the Law

Officers of the Egyptian Government, Judicial Adviser, and finally Financial Adviser. It was during his tenure of the last-named office that his health gave way, and he went home on leave. He wrote from home and asked the Prime Minister, Mohamad Saïd, whether he should return, thereby delivering himself into Saïd's hands. Saïd did not at all yearn for his return, but he was not going to assume the responsibility of saying so. With native guile, he took the letter to the High Commissioner, and persuaded him that it was best that the High Commissioner should write and say Brunyate had better not come back. Brunyate was subsequently appointed Vice-Chancellor of the Hong-Kong University, a position which he held a little over two years.

Sir Malcolm McIlwraith succeeded Sir John Scott as Judicial Adviser when Scott retired on account of ill-health and possibly also because he did not always see eye to eye with Lord Cromer. Scott was given the post of Judge Advocate-General in England, for which he was eminently fitted, and which he held until his death some few years later. After his retirement, he came out once again to Egypt as *The Times* representative on some special occasion, but in spite of the very great services he had rendered to the furtherance of justice in Egypt, and of which I cannot speak too highly, he was practically ignored. Ibrahim Fuad Pasha, Minister of Justice, who had worked with him as his titular chief, asked him to lunch, and that was the only recognition he received. His sun had set, the Egyptians have no sense of gratitude, and ever prostrate themselves before the rising sun.

Mr. Lionel Sandars, the English Judge in the Mixed Courts, said that McIlwraith had not been five

minutes in Cairo before everyone said he was a very clever man. Of his ability there was no doubt. He spoke French perfectly, had a French law degree, and also, I believe, spoke Spanish and German. Before coming to Egypt, he had done a good deal of work on commissions to take evidence in foreign countries. It was, I believe, through this that he was recommended for the post in Egypt by Mr. Austen Lee, who was the Commercial Attaché at the British Embassy in Paris. McIlwraith was very young to be given such a post, lacking the experience of men and things which only age can give.

After the Boer War, when I was in the Court of First Instance, I applied for a judgeship in the Court of Appeal in the Transvaal. The Transvaal authorities communicated with the Foreign Office in London on the subject and McIlwraith most warmly recommended me, and told me he was surprised that I had not been successful. The Transvaal people wrote to me and said that all the posts had been filled at the beginning of the Boer War, but that if I would write to them again, and a vacancy occurred, my candidature would be favourably considered. To this letter I never replied. McIlwraith and Lord Cromer later gave me a strong recommendation for an Indian High Court judgeship which did not materialise either.

When I was in First Instance, McIlwraith wrote and asked me if I cared to accept the Third Class Order of the *Mejidieh*, saying that it was the decoration worn by the best of the Judges in the Court of Appeal. His letter was so charming that I had to accept. When I was promoted to the Court of Appeal, in which, as there was no vacancy, a place was made for me, McIlwraith wrote me another charming letter, and I think what he said in it pleased



me more than the appointment itself. It was a pity that our relations became strained. I could not help my bad health, which was both annoying and costly, and I suppose McIlwraith could not help showing his want of sympathy. Towards the end of his time we became better friends, and I sincerely regretted his departure from Egypt.

Lord Edward Cecil, who was Financial Adviser, and Sir William Brunyate were both anxious to get rid of him. McIlwraith was being badgered, and when asked if he would like to go, said that if he was given a special pension of £E1,200 a year he would take it and go. The story goes that when Cecil received this letter he wrote at once and accepted the condition, and that he said to the messenger, "Run! Run!" The messenger did run, and in doing so broke his leg, and then claimed compensation from the Government.

I met McIlwraith at Sidi Gabr station, when he came down from Cairo to spend the night with and take leave of the High Commissioner. I told him he was a lucky fellow, but I do not think that he thought so, as he was much too young to retire, but by way of compensation he had had a long innings at the top of the tree. The top branches of the tree in Egypt were always perilous, and very few men have left that country with both honour and contented minds. I always thought that McIlwraith might have done something at home with his ability. He was, and is still, a good writer.

My first meeting with Sir W. Bond was, as I have already mentioned, when I took the oath on being appointed a Judge. The second time I met him he was stopping at the San Stefano Casino Hotel at Ramleh, whither I had gone to call on him. He walked back with me to my house, and said that if he had such

a place, he would think twice about being transferred to the Court of Appeal.

The late Kasem Bey said that Bond had "*un esprit bien meublé*," and it was quite true. He was a well-read and well-informed man. But he was a man of varying mood. He was a strong, but somewhat autocratic Vice-President of the Court of Appeal, of which he was in reality the *de facto* President. The character and temperament of Yehia Ibrahim Pasha, the titular head, made him always yield to Bond's dominant personality.

Strangely enough, Bond had great sympathy with illness, in which case he was most kind and considerate. At times, too, he could show signs of impish mischievousness. I remember one occasion on which I was the victim of his mood. The Court of Appeal was invited by Coles Pasha to visit the prison of the habitual criminals at the Barrage. The prisoners spend the first year of their sentence in solitary confinement, occupying themselves in learning a trade. Hearing that a man I had myself sentenced was in a cell near-by, I went to see how he was getting on. He was working at carpentering, and I stood and looked at his work for some time. Suddenly, with a sharp noise, the door snapped to, and I also was a prisoner! I did not care much about my position, for the cell was full of sharp-edged tools, and the man might quite easily have taken it into his head to punish me for putting him there. The moments passed very slowly, and I kept a very sharp eye on my fellow prisoner. Then, with a sense of great relief, I noticed Bond's head appear at the observation window, and signalled to him to let me out. But he strolled casually away. At last, after what seemed hours, someone else came and opened the door and my sentence was over. It

was my first and only experience of prison, and I cannot say I cared much about it. Bond's explanation was, "I just wanted to see what you looked like in prison." He was referring to a blackmailing action which had been brought against me in the Mixed Courts, and was dismissed by them with leave to bring an action for vexatious proceedings against my aggressors.

Bond was a member of the Special Court in the famous Denshawai trial. Some British officers, who had unwittingly shot some pigeons belonging to the villagers of Denshawai, were assaulted, and to the utter amazement and astonishment of the civilised world, four natives were hanged and others flogged and sentenced to various terms of penal servitude. Bond virtually conducted the proceedings. The weather at the time was terrifically hot, and the Court had to sit in a tent. The case was conducted with such a want of method that when minutes of the proceedings were called for by Parliament in London, they had to be compiled from reports made by native journalists for their papers. It was the subject of a most acrimonious debate in the House of Commons, and the surviving offenders were ultimately released. The affair unfortunately had far-reaching results. It was the plank on which the Nationalist movement was founded, and provided a platform for the late Mustafa Pasha Kamel, the apostle of Nationalism. Before the Denshawai incident, he had not managed to create any impression on the mass of the people, but the trial unfortunately gave him a hearing even outside the limits of his own country.

Butros Ghali Pasha, one of the Ministers who was President of the Court at this trial, was afterwards murdered when he was Prime Minister by

one Wardani. He was a Copt, and the lower-class Moslem population had a rhyme extolling the murderer. Another member of the Court was Fathy Zaghlul, Saad Zaghlul's brother. He it was who drew the judgment, which was one of the feeblest, in the way of making premises fit the conclusion, that I ever read. He was undoubtedly actuated by a desire, quite mistaken, to please the English and obtain advancement. He was President of the Cairo Court of First Instance, and had been passed over for the Court of Appeal chiefly because Bond would not have him there. After Denshawai he became Under-Secretary of State for Justice, and died, whilst still occupying this post, of general paralysis.

The winter following the Denshawai trial saw the President of the Court of Appeal retire ; Bond as Vice-President, fully expected to be made President. But there was a great outcry, and the line of least resistance was followed, with the result that Yehia Ibrahim Pasha became President. He was not the senior Judge amongst the natives, but he was a man of weak character and was likely to be subservient to Bond. The senior man had a will of his own, and would not have allowed Bond to dominate him. He also had some self-respect which must have been sadly lacking in Yehia's make-up.

## CHAPTER IX

### COURT OF APPEAL AND ASSIZE COURTS

IN the summer of 1903 we went to Switzerland for our leave, sailing from Alexandria in an Austrian Lloyd boat. There were several of the higher British officials on board, as well as M. de Hults, a Judge in the Court of Appeal. They all told me that I was going to be promoted to the Court of Appeal. Personally I had no knowledge of any such impending promotion, and took it to be one of the rumours which were constantly floating over the horizon of the Egyptian official world. But when I returned to Egypt I found that it was decided that my promotion should take place in the New Year.

When I went up to Cairo, I had, of course, to move all my belongings, the expense of which very much discounted my first month's pay. The amount contributed by the Government consisted mainly of first-class fares for wives, while that allowed for furniture must have been based on conditions at the time when a man took up his bed and walked. Moving into my flat was a most difficult business. All the packing-cases had to be emptied in the street under the watchful eyes of my secretary, Basili Bey Ishak, and myself. Many things astonished me on this occasion, but none perhaps so much as seeing a porter carry a heavy cottage piano up two flights of stairs unaided. A rope was fastened loosely round the piano, and the loop put on his forehead while the piano rested on his back.

Our landlord was a Jew who lived on the ground floor and kept the chopped straw for his horses in the basement. Dr. Herbert Milton, who lived above us, kept the petrol for his car on the roof, and said he would remove it only when the landlord removed his straw from the basement. As neither would give way, these very combustible materials continued to surround us until the end of our tenancy. Happily there was no fire.

When I went to Cairo there was held one of the Khedive's many levées. I was no longer in the Court of First Instance, so I could not wear my red sash. Nor could I wear the green one, as I had not been sworn in as a member of the Court of Appeal. So I walked in at the tail end of the Appeal Court Judges. On coming out, the Minister of Justice who accompanied us said something to the Khedive about fixing a day for swearing me in. I suggested that there was no time like the present, and as His Highness was of the same opinion, it was done there and then. At the same time he told me that my appointment was a source of personal gratification to himself, and I really believe that he meant it.

Then I had to make my various visits, an intolerable nuisance, but customary. It is also a great waste of time. One of the first people I went to see was Saleh Sabit Pasha, the President of the Court of Appeal, a somewhat absent-minded old gentleman who could scarcely be restrained from swearing me in as a Judge of First Instance. He was a Caucasian, and one of his grandsons was for a short time married to Mrs. Nash. Then I had to call on the remainder of my new colleagues, who lived all over Cairo and its suburbs. It was difficult to discover their addresses, and even more

difficult to find the houses when you knew approximately where they were. The kind of direction received was: the house that Monsieur Blanc lived in ten years ago. I found that even eighteen years after Lord Cromer had left Egypt to tell a cabman to go to the Dar-al-Himaiya or the Wokala-al-Britannia was quite hopeless. He simply stared in blank ignorance. One had to say: "Go to Lord Cromer's!" Then he knew at once.

I had looked forward very much to having a number of English colleagues in the Court of Appeal, in Alexandria having been alone amongst natives. I was bitterly disappointed, for I found I had arrived at a very bad time. McIlwraith had persuaded Lord Cromer that it would be a good thing to have Assize Courts composed exclusively of Appeal Court Judges for the purpose of trying criminal cases at all towns where there was a Court of First Instance. The pay of the Judges was to be raised from £E1,000 a year to £E1,200, and an additional £E300 was to be given to those who went on Assizes. Without Vice-President Bond's assent the scheme would never have materialised. Each individual Judge had to be canvassed, and in spite of the extra pay, Royle, Satow, Coghlan and Alston would not consent. Dilberoglu stipulated that he would only go Assize in Lower Egypt. Amongst the natives, Kasem Bey Amin and Saad Zaghlul refused, and I also think a Copt named Hanna Bey Nasrallah. Kasem and Zaghlul were brought into the fold some time afterwards on the insistence of Mustafa Pasha Fehmy, Zaghlul's father-in-law. Hanna never came in, nor did the Ministry of Justice really want him, as he had not a great reputation as a Judge. But to punish him, he was given no fixed work, but told to come to the Court every morning

to replace any Judge who might be sick. Fortunately for himself, Hanna was an early riser, so he went to the Court punctually at nine o'clock, did his *acte de présence*, and then departed before it was possible to know whether any Judge would be absent or not. He never went home until the day's work was over, and it was perfectly useless to telephone to his house, as he was never there.

My appointment to the Court of Appeal left me with no option of approval or disapproval of the Assize Court law. At the same time, as I had been specially promoted while there was no vacancy, I was regarded with some suspicion and hostility by my English colleagues who had refused to have anything to do with the Assize scheme. The extra pay made a difference to them, but they were very much disinclined to put their heads under the heel of Bond and the Ministry of Justice. Bond was responsible for the compiling of the Assize Court lists, subject to the approval of the Ministry, but as he was all-powerful, the Ministry were extremely unlikely to object to anything he suggested. Another cause for complaint was the Judges' Rest Houses, provided for the convenience of Judges when on Assize. Each had a sitting-room, two bedrooms and a bathroom, and while not bad of their kind, these were very flimsy for hot weather residences. They were built by some novice of an architect attached to the Towns and Buildings Department of the Public Works, who knew that in any eventuality he would not have to live in them. The only one that was at all well-furnished was that of Tanta, for which Maple's secured the contract, but even that was nothing in particular. The others were furnished with rubbishy, country-made furniture, and had such ill-fitting doors to the wardrobes that



a rat ate Talaat's shirt one night in one of them. The Judges' Rest Houses were completely overshadowed and outclassed by the houses of the English Judge of First Instance and the irrigation officials, and it was accordingly very difficult for a native to understand that the Assize Judges were so very much more important. How could they be, when they were housed in such very inferior dwellings?

There was not a single thing about the Assize Court scheme in which it did not fail to achieve its object. The only reason that some of the Judges accepted it and wished to be sent on Assize was the extra £E300 a year. Some of them were men who had done little or no criminal work since they had been on the Bench, but they had to be rewarded for their adhesion. I, who had been promoted for my knowledge of criminal work, was not sent, and did not go for two years. The second year it was my own fault, as I became very ill as soon as the hot weather came on in Cairo, and had to go away. The next year, I had to have a month's extra leave. The Egyptian Government have a doctor in London and one in Paris for examining men who apply for sick leave, and change them speedily if they are thought to be granting leave too easily.

The following year when I went home, I thought I would go to Sir William Broadbent and ask him whether I should require any additional leave. He said there was no doubt about it. He had never seen a man so run down who had nothing organically the matter. I had to have the signature of two doctors, and decided to go to Mr. William Treves (brother of Sir Frederick), who was treating my daughter for glands at Margate. He readily agreed to give me the certificate, telling me to write it and

he would affix his signature. This I did, and when I returned to Egypt the incident had an extremely amusing sequel. I paid a visit to Brunyate, who was Acting Judicial Adviser. "I did not think much of Broadbent's certificate," he remarked, "but that certificate of Treves's was excellent. It was the sort of thing we can understand."

## CHAPTER X

### THE EGYPTIAN UNIVERSITY

IN 1904 I was staying in a nursing home in London during leave, and in one of many idle moments it occurred to me that it was an extraordinary thing that a country like Egypt had no university. I made numerous notes on the subject, and before returning to Egypt wrote a short article which I sent to Lord Cromer, asking him to allow me to publish it. On the 5th of January, 1905, he wrote to the effect that although Artin Pasha had said all the elements for the creation of a university existed approximately in 1894, a very considerable time must elapse before practical effect could be given advantageously to any proposal for the creation of a University for Egypt.

A few days after receiving this letter, I met Artin, the Under-Secretary for Education, in the street, and asked him what he had done with "all the elements for the creation of a university" which were in being in 1894, remarking in parenthesis that we were now in 1905. He had not a word to say in his defence. Mr. Dunlop, the Adviser to the Ministry of Education, was also against it. If he agreed to the university, his own position would have been shorn of a great deal of its power, as the scheme would have incorporated the law, medical and engineering schools which were under his domination. He had no intention of letting anything go out of his hands, and he was a very determined man. He was also a dour Scot. He had considerable strength of character, and he needed it.

He was constantly the subject of attacks by the native Press, but all criticism was utterly futile and left him quite unmoved.

He joined the Education Department in 1889 and retired in 1919, acting for thirteen years as Adviser to the Ministry. He came out originally as Head Master of the Church of Scotland School at Alexandria, and I believe he always felt that he had the Church of Scotland at his back in case of need. He was a hard master, knowing how to work himself, and expecting everyone else to do the same. Meeting Ismail Pasha Sidky (one of the four men who were deported with Zaghlul to Malta in 1919) in the street one day, I said to him, "You ought to put up a statue to Dunlop." A vague look passed over his face, as though he had not understood. Then he said, "You are right. We owe a great deal to our students. They have helped our cause a lot."

In the autumn of 1905, Kasem Amin and Zaghlul began to clamour for a university. Kasem, who was the intellectual man, wrote an article on the subject, which, when I compared it with my own (published in *L'Egypte Contemporaine*), might have been a translation. We had never discussed the subject together, yet we had both hit on the same facts. Lord Cromer then felt that he must pay some attention to the idea, and Zaghlul became the first Minister of Education in Egypt. At once he dropped the university like a hot potato. It was of no further use to him. Kasem carried on the scheme, and asked me to become one of the committee. Of course, I had to ask Sir Eldon Gorst's permission, which was conveyed to me on the 5th March, 1908. Unfortunately for Egypt, Kasem died suddenly in April of that year.

King Fuad, who was then Prince Fuad, was President of the Committee, but the university, even under his auspices, made no strides. This, I think, was mainly for the want of practical direction. After Kasem's death, an element of fanaticism crept into it, and no more foreigners were allowed to be on the governing body. I never achieved that distinction, much as I was interested in the success of the movement. The only man, I believe, who was ever given a degree was the late President Roosevelt. When he was in Cairo, he was invited to give an address at the university. He did not communicate his address to the committee, who therefore went to see him at Shephard's Hotel, where he was staying. They did not like the address at all, but Roosevelt told them that that was the address he was going to deliver, and if they did not care for it, he would not address the university at all. It was an extremely awkward situation. The invitations were out, and it was a great occasion, but I do not think the committee had grasped the subject matter very thoroughly, or they would certainly not have encouraged Roosevelt to deliver that address. He told his audience what he thought of Egyptians in general, and it was not flattering. He told them how lucky they were in having the English to govern them, and ridiculed all idea of them governing themselves. They were sadly disillusioned! They had expected that he would run down the English and all their works.

Mr. Percy White, the novelist, for many years lectured on English literature at the Egyptian University, having an annual contract. His immediate successor was Mr. Graves, but he held the post for a very short time. Professor Sarolea was

then appointed, and we find him in December last prefacing his lecture on the growth of the British Empire by a protest against the unfair and hostile criticisms with which he was being assailed in the Egyptian Press. He characterised it as an unfair campaign of intimidation intended to make impossible the delivery of his first course of English lectures before the new State University. *The Times*, in alluding to the matter, said: "His complaint is fully justified. The campaign of abuse and misrepresentation to which he is being subjected is strikingly at variance with the courtesy hitherto extended to strangers by Egyptians, and is particularly disgraceful seeing that Professor Sarolea is the especially invited guest of the Egyptian Government." It is twenty-two years since I wrote my article "A Plea for a University for Egypt," and it has taken all these years to make it into a semblance of one. No people can have a university which is likely to benefit the nation where fanaticism prevails, for learning and fanaticism can never go hand in hand. They are as far apart as the Poles. If the Egyptians persist in their present course they will go far to justify Lord Cromer's comment, that the time had not yet come for them to have a university, for the privileges of which they are proving themselves entirely unfitted by their mental attitude.

In connection with the university I have made mention of Kasem Bey Amin. Kasem was by far the most intellectual man in the Court of Appeal, and Mr. Brailsford, Oriental Editor of the *Daily News*, in writing his obituary notice said of him that he could take his place in any company of European scientists on terms of equality. He was not an Egyptian, but of pure Kurdish stock, and his ideas were far in advance of those of any of

his countrymen. He wrote a book on the emancipation of the Egyptian women at a time when it was dangerous to do so, and it brought upon him the obloquy of the Egyptians for some time. He was also the author of another book which was called *The Sayings of Kasem*.

He was always cheerful, and I never knew till after his death that he was staggering under an enormous load of debt. His end was very sudden, and a great shock to me. I had lost a good friend, and a charming intellectual companion, and such are not easily to be found in Egypt. The loss to his country was infinitely greater. He had extraordinarily sane views and great political vision, although he had a profound and deep-seated contempt for politicians, which was perhaps not undeserved. His *Sayings* are still quoted in Egypt, but the emancipation of Egyptian women is not yet an accomplished fact. Kasem was one of the four Egyptians whom Lord Cromer mentioned by name in his farewell address to Egypt. I think he did not know him personally, but only through his books and his reputation. Kasem never sought to thrust himself forward, or seek by any means to ingratiate himself with an ulterior object in view.

In the month of June, I was asked to examine the students in commercial law at the Law School, my co-examiner being Rushdy Pasha, who was then a Judge in the Mixed Courts in Cairo. I had previously been an examiner when I was in the Court of First Instance, and indeed McIlwraith had proposed that in addition to my work as a Judge, I should become one of the Professors of the Law School. I was not at all keen about taking the post, but said that if it was absolutely necessary

in the public interest I would accept his offer. Fortunately it never materialised.

When I came from Alexandria I examined Tewfik Pasha Dos, who afterwards became Minister of Agriculture. He was by far the most brilliant student I ever examined. Dos is a Copt, and has a very large and remunerative practice at the Bar. He speaks English perfectly, and very soon picked up the practice before the Courts-martial, which were very numerous after the Revolution of 1919. He is a large landowner at Assiut, and was elected as a member of the present Parliament against a Zaghlulite candidate. How far he will go in politics it is difficult to say, not very far, probably, on account of his religion. He is a good debater and quite able to hold his own, and even a little more, but it is always impossible to fathom the mind of a Copt. They have been under-dogs for so many centuries that their mentality will not allow them to take the path which their reason indicates as the right one.

I had had no previous acquaintance with Rushdy until I met him on the examination board of the Law School. He examined the students who had gone through their course in French, and I took those who had done it in English. He was an annoying person to examine with, as he would cut in in English when I was examining the English section. His English was so bad that it was almost incomprehensible, and I had sternly to repress his zeal. I do not think he took his work very seriously, all the same. McIlwraith and other people on the examining committee came in to see how we were getting on, and McIlwraith complained that we were giving too high marks. Rushdy, Egyptian like, said that I would have it so. He did not remain long in the Court of Appeal, but was made head of



something, perhaps the Law School, I do not quite remember, while awaiting better things. He had spent about fifteen years of his life in Paris, and had married the *bonne* of the pension in which he had lived. She was a clever woman, with literary instincts, and wrote some very good books on Mohammadan life. After her death, he soon married again, but this time a Turkish lady. Rushdy himself is a pure Turk, but his family have been settled in Egypt for about three generations. He had a very bad memory. When he was Prime Minister, three sets of papers had always to be kept, one for him to lose, one to replace it, and one in reserve.

Rushdy incurred a good deal of odium, and was charged by the Egyptian public with disloyalty in failing to urge the Khedive, Abbas Hilmy, to return to Egypt on the outbreak of war in 1914. In February 1927 he at length made a public statement in the Press recounting what actually happened, and proving how utterly blameless he was in the matter. The following is his account of what transpired :

“ The Khedive and Lord Kitchener hated each other ; the Khedive never forgave Lord Kitchener for the famous frontier incident which mortified his dignity, and the latter always accused the Khedive of insincerity and lack of frankness in his relations with him. He also had a grudge against him on account of the campaign which he (the Khedive) started against Lord Kitchener in London, through Mr. Moseley, a former Judge of the Egyptian Law Courts. When war was declared, Lord Kitchener, thanks to his great influence and distinguished position in England, was able to persuade the British Government to prevent the Khedive, who was in Constantinople, from entering Egypt.”

Rushdy goes on to say :

“ The Khedive informed me of this communication, but said that he would think over the matter before taking any decision, and asked me to supply him with certain information. He asked me about the psychological condition of the inhabitants, the Press policy, the attitude of the British and other unimportant questions, and I sent the following reply: ‘ In view of the statements made by the British Embassy in Constantinople, to His Highness the Khedive, that there is no objection to his return to Egypt, there is no further ground for hesitation as to the necessity of returning. The interests of the country, and the real interests of His Highness, call for his return at once. The situation here is unchanged, but the country is going through a financial crisis such as that suffered by all other countries. People are quiet, the Press is calm, the attitude of the Occupation is moderate, and all await the return of His Highness. Nobody understands why he continues to remain absent, now that no obstacles to his return remain. My colleagues believe, as I do, that it is our duty urgently to demand his immediate return. In order to face events that may occur, it is necessary for the Ministry to be in direct and quick contact with the Sovereign. Indian troops have not yet come.’ Before sending this telegram I learned from the British Agency that it had no idea of the official communication addressed to His Highness the Khedive recently by the British Embassy in Constantinople. Ask the Ambassador or the British Government to wire me by cable to the British Agency. This precaution is necessary. I insist on that and all the contents of my message.

“ But in truth the Khedive was determined not to return ; he was deluded by the great German military organisation, and forgot the lessons of history. He believed that the Germans would

undoubtedly win the war, and forgot that the instinct of self-preservation would urge nations to form an alliance to frustrate the Germans' attempt to spread their dominion over the world. Besides that, some members of the suite of the Khedive were employed by the Germans, and these did their best to persuade His Highness to remain in Constantinople, arguing, firstly, that it was not worthy of the Khedive's dignity to return to Egypt after the insult offered him by the attempt to prevent his return ; secondly, that the English would seize him on the way and deport him to Malta ; thirdly, that insistence on his return was in agreement with the English, that it was my personal attitude and not that of my colleagues, and that I was anxious to keep it secret.

"In order to colour this falsehood one of the men concerned sent a letter to my friend, Adly Pasha, endeavouring to separate him from me and to win him to their side ; among other things he said that the Russians after the battle of the Lakes would never rise again, and that German victory was certain. To these overtures Adly Pasha replied that he was in full accord with his chief."

(The Pasha published a further statement on the subject proving that the Khedive himself subsequently realised that his Premier had given him sincere advice, and that he did not act in accordance with it.)

## CHAPTER XI

### LORD CROMER'S WORK IN EGYPT

OVER twenty years have passed since Lord Cromer left Egypt. He went there on 11th September, 1883, ostensibly as British Consul-General, but really as virtual ruler of the land. Never was any man confronted with a more difficult task, never did any man accomplish it so well. The British Government never had any definite policy which was capable of execution. Lord Cromer never received any general instructions, and never asked for any. As questions arose, he decided them on their merits, guided by the sound common sense which characterised all his actions. He entered on his life's work with a singleness of heart and a steadfastness of purpose which carried all before him. Difficulties, instead of dismaying, inspired him, and they were not wanting. Despite his long and varied experience, to the last day of his residence he acknowledged that he was constantly learning something new. He steered the Egyptian ship of state through the breakers into a haven of safety, and of no man can it be said with greater truth, "He shall be remembered by what he has done." That, for the present, is his monument, for no statue has yet been set up in Egypt to one who did so much for the Egyptians, and, in short, made their lives worth living. Yet in this land of paradox

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they have raised statues to those who have scourged and oppressed them.

On his arrival Lord Cromer found Egypt in a state of insolvency due to extravagance and bad government of the ex-Khedive Ismail, the father of the present King. Money had been extorted from the wretched peasantry to such an extent that in many cases they chose to abandon their land rather than be tortured further by the tax-gatherer. It was a race against bankruptcy, and the period of doubt lasted until 1888, when Lord Cromer had definitely saved Egypt from International Government. During the whole of that time of doubt he concentrated on one subject, and that was, Solvency. There had been neglect of all economic laws, coupled with a persistent, reckless administration of the finances of the State. In every department there was evidence of the ignorance, dishonesty, waste, and extravagance of the East. Undue privilege had been acquired by the influential classes to the detriment of the mass of the population, and the most elementary principles of law and justice were completely ignored. The divorce between law, such as it was, and justice was absolute. No Law Courts worthy of the name existed for the trial of Egyptian civil and criminal cases. Every administration was in a state of disorder and chaos. The Sudan had to be abandoned because Egypt could not afford to stay there. Inefficiency and corruption were rampant.

Egyptian military history from the time of Mohamad Ali had afforded conclusive proof that an Egyptian Army officered by Egyptians is useless. After Tel-el-Kebir it was disbanded. Events had shown that it was more to be feared in peace than in war. It is said that, as the result of Ibrahim

Pasha's experience in Arabia, it was decided never to promote an Egyptian above the rank of sergeant. The force was subsequently reorganised by British officers, and made into an efficient fighting machine. The men were trained and disciplined, well treated, and well looked after. This army later on played a very creditable part in the campaigns against the Dervishes, and in the reconquest of the Sudan in 1898, which set the crown on Lord Cromer's achievements. He had freed Egypt and the Egyptian people from a great menace to their peace and security.

When the British troops occupied Egypt in 1882, one act of bankruptcy had already been committed. In 1879 the Government of Egypt declared themselves insolvent. In 1880 a composition of their creditors was effected. Nevertheless, under the combined influences of the Arabi rebellion and the cataclysm in the Sudan, the Treasury was again on the high-road to another act of bankruptcy. There was, however, this difference between the financial chaos of 1878-9 and that of 1882-3: during the earlier of these two periods the hopes of every friend of Egypt were based on a declaration of bankruptcy, and it was impossible to apply a remedy until the true facts of the case were disclosed; while in 1882-3 it was the true interest of every Egyptian, and of every sympathiser with Egypt, to stave off bankruptcy; for the remedy which would certainly have been applied, had bankruptcy been declared, would have been almost worse than the disease. That remedy was International Government. The struggle was long and arduous. For some years the issue seemed doubtful, but the final result in 1888 was a complete triumph of Lord Cromer's financial genius.

Direct taxation was reduced by nearly two million pounds a year. In the domain of indirect taxation, the salt tax, the collection of which was attended with great hardship to the poorer population, the octroi duties, the bridge and lock dues on the Nile, and the tax on both river boats and sea-fishing boats were wholly abolished. The registration fees on the sale of land were reduced from 5 to 2 per cent. (they have recently been raised again to 5 per cent.). The light dues were greatly diminished in amount, as was the tax on ferries. The customs duties on coal, charcoal, liquid fuel, firewood, timber for building, petroleum, live stock and dead meat were reduced from 8 to 4 per cent. The inland fishery industry was relieved from the vexatious and onerous restrictions which were formerly imposed upon it. The postal, telegraph and railway rates were largely reduced. Lord Cromer believed that a lightly taxed population made for general contentment, and that no nation likes to pay too highly for the privilege of being governed.

In spite of the large reduction of taxation, the revenues grew from £8,975,000 in 1883 to £15,337,000 in 1906—an increase of no less than £6,362,000. The expenditure, of course, increased with the growing revenue, but it was carefully controlled. Up to 1888, either a deficit was annually incurred, or else financial equilibrium was preserved with the utmost difficulty. Then the tide turned. During the eighteen years from 1889–1906, both inclusive, the aggregate surplus of the Egyptian treasury amounted to more than twenty-seven and a half millions sterling. Nor was this surplus accumulated as the result of parsimony in administration. During the twenty years preceding 31st December, 1906, extraordinary expenditure to the

extent of £19,303,000 sterling was incurred on railways, canals and public buildings. Of this large sum, only £E3,610,000 was borrowed. The remainder was provided out of revenue. Moreover, on 30th December, 1906, a reserve fund of £E3,050,000 stood to the credit of the commissioners of the debt. The Reserve Fund of the Egyptian Government amounted on the same date to £E11,055,000, of which only £E2,353,000 had at that date been engaged for capital expenditure. Both of these funds, amounting in the aggregate to £E14,105,000, were provided out of revenue.

In 1883 the capital of the debt, which was then held exclusively by the public, amounted to £E96,457,000, and the charge on account of the interest and sinking fund to £4,268,000. Since then, the guarantee loan, which amounted to £9,424,000 sterling, had been issued. £4,882,000 had been borrowed for the execution of public works, and for the commutations of pensions and of allocations to the Khedivial family. The conversion operation of 1890 added £2,904,000 to the nominal capital of the debt. In all, £18,210,000 had been added to the capital of the debt. On the other hand, the Daira Loan, which in 1883 amounted to £9,009,000, was entirely paid off. The Domains Loan, which in 1883, amounted to £8,255,000, was reduced to £1,316,000. The Guaranteed Loan was reduced to £7,765,000, a reduction of £1,659,000 from the original amount. On December 1906 the outstanding capital of the debt in the hands of the public amounted to £87,416,000. In addition to this, stock to the amount of £8,760,000 was held by the Egyptian Treasury, and the Commissioners of the Debt, of which the interest was credited to the Egyptian Government. The charge on account



of interest and the sinking fund borne by the taxpayers was £3,368,000. In twenty-three years a reduction had been effected of £9,041,000 in the capital of the debt, and of £900,000 in the charge on account of interest and sinking fund.

Lord Cromer had in this short time arrested bankruptcy, increased the revenue, reduced taxation, controlled the expenditure, created a reserve fund, reduced the public debt, and raised Egyptian credit to a level second only to that of England and America. All the other reforms which were effected flowed from the fact that the financial administration of Egypt was honest, and that the country, being by nature endowed with great recuperative power, and being inhabited by an industrious population into whom Mohamad Ali had flogged the habit of work, responded to the honesty of its rulers. In 1883 a considerable portion of the land owned by the peasantry was heavily encumbered, and there was a tendency for these lands to pass out of the hands of the owners into those of foreign creditors. To obviate this, Lord Cromer suggested the creation of an agricultural bank, which advanced about £9,000,000 sterling, in small sums to the cultivators. This bank, together with the Five Feddan Law, the work of Lord Kitchener, whereby peasant proprietors possessing land up to five acres were not allowed to give it as security for loans, saved the small landowner. As a class, the Egyptian peasant is improvident, and Lord Cromer at all times protected him not only against others, but also against himself. For the prosperity of Egypt, and the well-being and happiness of the peasantry, who form the bulk of Egypt's population, it was essential that they should be kept on the land.

In 1883 there were no Courts worthy of the name

for the administration of civil and criminal justice for the indigenous population. The native tribunals were instituted at the beginning of that year under Lord Dufferin's auspices. They improved and progressed under the fostering care of Lord Cromer, so much so that he was able to say of them ten years later, that justice was administered on fixed principles, and, with occasional exceptions, that the decisions were just. It was, however, the collaboration of European Judges with their Egyptian colleagues which alone made justice possible. The era of bribery and corruption had passed away, but the Egyptian Judge was exposed to too many outside influences. The very fact of his being an Egyptian prevented him from becoming detached. He had too many friends in the country who did not hesitate to try to influence his decisions, and sometimes the influences brought to bear on him were very powerful. This made his position at times very difficult. The appointment of European Judges greatly helped to strengthen his moral fibre, and enabled him to reply that, much as he would have liked to oblige, it was impossible, as he had his European colleagues sitting with him. The reason was always accepted. There is no doubt that the European Judges in the Native Tribunals were the strongest link in the chain of the Judiciary. The Department of Justice and also that of the Interior during the storms and stress of the years 1884-5 were confided to Egyptian hands, but the experiment resulted in complete failure. They have now gone back into Egyptian hands, and the recent decision in a murder case is an index pointing again in the direction of that failure from which they were rescued by Lord Cromer.

Another of the abuses which existed at the time of the British Occupation was the indiscriminate

use of the *courbash*. This instrument of torture was ingeniously made of hippopotamus hide, and was used on any and every occasion. It was applied indifferently by the tax-gatherer of Ismail to extort money from the peasantry, and by the police to extort a confession for murder. When argument failed, the *courbash* was used. Recalcitrant servants were sent with a note to the police-station, requesting the superintendent to give them a beating, from which they returned in a chastened frame of mind and became again employable. It was the time-honoured support of the Egyptian administrator. Its abuse was so scandalous and flagrant that its abolition was included in the chapter of reforms. The memory of man is proverbially short, and that of the Egyptian particularly so in regard to benefits bestowed upon him.

The abolition of the *corvée* (forced labour without pay) was next urged. The *corvée* had existed in Egypt from the time of the Pharaohs, and they, like the Pashas who ruled the country at the time of the British Occupation, held that the only way to govern the Egyptians was constantly to flog them. A superior authority decreed that flogging was to cease. It was in the interest of the people that the mud which the Nile leaves at the bottom of the canals should be removed every year, otherwise the canals would get blocked, and their fields would not be irrigated. They were blind to their own interests, and having learnt that they were not to be flogged, they refused to respond to the call of the *corvée*. This task involved the employment of an eighth of the population for ninety days in the year. The hardship did not lie there, the rich and influential escaped, and the burden fell on the poor, who were the least able to bear it. Perhaps not the least of

Lord Cromer's achievements in the cause of suffering humanity was that in the teeth of strong opposition he insisted that the Egyptian should be paid for his work, and that he should not be flogged if he did not wish to work without remuneration.

Corruption in most Eastern government is a feature of administration, and nowhere was it more general than in Egypt during the reign of Ismail Pasha. He himself believed in bribery, and his subjects followed in the footsteps of their master. Lord Cromer took steps to eliminate it as much as possible from the conduct of public affairs. He inaugurated a proper system of accounts and audits. Salaries were paid regularly, and those of the lowest classes were raised. Government stores and public works were put up to tender. The judicature was improved, and the abolition of the *corvée* rendered the bribing of village Sheikhs unnecessary. The organising of a proper recruiting service swept away a whole nest of corrupt practices, but the employment of a number of honourable and capable British officials did more than anything else to check corruption. The power of example is very great. The pendulum has begun to swing back again, though some of the old faces may now have new names.

Up to 1882 Egyptian irrigation was falling back, but before the British engineers had been at work ten years the cotton crop was trebled, the sugar crop more than trebled. The country was gradually being covered with a network of light railways and agricultural roads to enable the produce to be brought to market. The building of the Assouan Dam and the Assiut and Zifta Barrages enabled large quantities of waste land to be brought under cultivation, and employment found for an ever-increasing population.

The British engineers justified Western methods to Eastern minds. They were ever inspired and encouraged by Lord Cromer.

The portfolio of the Ministry of the Interior is always looked upon by an Egyptian Prime Minister as the most important, and he invariably takes it himself. It is the solar plexus of the Egyptian administrative system. It was full of abuses when Lord Cromer took its reformation in hand. He had to contend with the duplicity of native Under-Secretaries of State, who, when an order was given to the Provincial Governors, would send a secret counter-order telling them to do exactly the opposite. The prisons were insanitary in the highest degree, and the prisoners lived like wild beasts, without changes of clothes, and half-starved. Many of them were charged with no offence, as it was always possible for a stronger man to put a weaker in prison and keep him there indefinitely. An English Director-General was put in charge, and all this was soon changed. Slavery, which was a domestic institution in Egypt, was abolished. The hospitals were in a more or less tumble-down, dirty condition, impregnated with foul odours, and containing filthy beds. Their condition was so bad that a patient who was forced to go there looked upon it as tantamount to a sentence of death. The school of medicine at Cairo was eventually, in spite of much opposition, put on a sound footing and given an English head. The hospitals were properly equipped and supplied with medicine, appliances and instruments, and the more than prejudice which existed against them entirely disappeared. Sanitary reform advanced perhaps less rapidly than improvements in the medical service. The conservative instincts of the people and their

indifference to sanitation constituted an almost insuperable barrier to progress.

The conditions that prevailed in the lunatic asylum at Cairo—and there are still many lunatics at large in Egypt—were shocking beyond description, and effectually deprived the unfortunate inmates of any hope of improvement or recovery. The asylum, which was a disgrace to any country, however low its grade of civilisation, was put in charge of Dr. Warnock, an English specialist with a European reputation as an alienist, and he put it in perfect order. The police system was abominable, and many were the experiments tried before it became a fairly efficient force. Lord Kitchener was at one time its Inspector-General. That it was made reasonably efficient was entirely due to its British officers, and it is possible that it may remain so as long as those officers stay in the service and are not too much interfered with. During the Revolution of 1919 the conduct of the police was, on the whole, exemplary.

In 1877 and 1878, that is during the worst period of the financial chaos created by Ismail Pasha, the Government expenditure on education was only £E29,000 a year. Under the Dual Control the grant was raised to about £E70,000 a year. From that time until 1890 fiscal relief for the over-burdened taxpayer took precedence of everything else, and it was impossible to increase the sum of money which the State could spend on education. Internationalism, as represented by the Commissioners of the Debt, by depriving the Egyptian Government of the free use of its own resources, barred the way. From 1890 onwards there was more money at the disposal of the Treasury for educational purposes. Not so long ago, the Egyptians had no use for

education. It was not widely supported until it had been brought home to the middle and upper classes of society, who depend largely on Government employment, that if their children were not sent to school, they would probably not be able to gain their livelihood. Contact with the West, the partial Europeanisation of the administrative services, and the emulation inspired by the presence of European, Levantine and Syrian competitors, produced the stimulus required to turn the thoughts of the Egyptians towards its practical value and schools sprang up in every direction.

The hope of nearly every Egyptian is to be provided with a Government post, with short hours, a minimum of work, and as much pay as he can obtain. He has little desire to enter the arena of competition in commercial undertakings. With one, or at most two, exceptions, there is no Egyptian who has been successful as a man of business. In a shop in a hole in a wall, where a sewing machine may be seen at one side and a goat tethered at the other, he may make a modest living. When it comes to organised trading, he is out-classed by the European, the Armenian and the Jew. In spite of the fact that, as compared with 1914, there has been an increase in 1925 of 49,344 in the number of officials, which cost the State £E13,500,415 a year, considerably more than a quarter of the budget, there is still a clamour for more posts from those who have passed the qualifying examinations.

One of the features of Egyptian life is that there is rarely any home training. Lord Cromer was fully cognisant of all the difficulties connected with education, but he was fully determined that Egyptians should have the chance of being educated,

even if that education only resulted for the moment in the manufacture of demagogues. He asked himself what is, from the political point of view, the most important educational question? Do the educated Egyptians possess the qualities and characteristics of potentially self-governing people in the terms not only of intellect, but also of character? He thought something had been done towards forming and elevating their characters. The mere acquisition of linguistic knowledge which had enabled a certain number of young Egyptians to study the literature and science of Europe, must have tended in some degree to engender that accurate habit of thought which is the main characteristic of the western as opposed to the eastern mind. That it was difficult to believe that constant contact with a number of high-minded Europeans, the example afforded by the elevated standard of thought from which all social and administrative questions are approached would not have its effect. The abolition of barbarous punishments, the suppression of forced labour and torture; the introduction of the new ideas that the rights of property are sacred and that all men are equal in the eyes of the law; the practical abolition of slavery, the discouragement of nepotism, the stigma attached to the worst kinds of vice, all these things were bound to have their effect on the Egyptian mind. The fact that the Egyptian social and political atmosphere had been for some years heavily charged with ideas which should act as antidotes against moral degradation must contribute in some degree to a partial assimilation of the best European code of morals.

Lord Cromer believed that though it might reasonably be held that something had been done



in the direction of imparting rectitude, virility and moral stability to the Egyptian character, there was still abundant room for improvement. If the moral influences to which the Egyptians were exposed should be withdrawn or even weakened, he thought a relapse would inevitably occur. He saw that the only way to graft true civilisation on a society which was just emerging from barbarism was not only to educate, but to elevate the Egyptian woman, and unless this was done there was no chance of affording to the Egyptian man, in any thorough degree, the only European education which is worthy of Europe.

During the last three years of Lord Cromer's rule in Egypt, his health had begun to show unmistakable signs of giving way. He was a good deal worried by the activities of Mustafa Kamel, the leader of the Nationalist Party, who had derived strength and support from the unfortunate Denshawai affair. A frenzied mania for speculation had taken possession of the country. Stocks and shares and real estate soared to giddy heights without any regard for intrinsic values. New companies were floated almost daily, and shareholders rushed to subscribe to ventures which no sane man would have thought twice about. There were no company laws in the Egyptian Code to prevent any company-promoting swindler from carrying on a wholesale and organised system of robbery. One of these, who afterwards returned to England with his plunder and settled down to enjoy life, said that "he had met a good many — fools in his life, but never so many as in Egypt."

Lord Cromer tried to stop this wholesale speculation, but he had become tired and weary with the

struggles of a lifetime, and even his great personality could not stem the tide. It had become so universal that even the Turf Club, at certain times of the day, was more like a bourse than a club. British Government officials and officers in the Army could not resist what they thought was a chance of making money easily. The banks granted every facility in the way of advances on stocks and shares bought by their clients, even almost up to their inflated Stock Exchange quotations. They were greatly to blame for the ruin which overtook many of their customers, some of whom spent years in paying off their indebtedness.

The crisis came at the time of Lord Cromer's departure from Egypt, when, even if one had possessed a pocketful of pearls, they could not have sold them in Cairo. Those who cut their losses were very few in number, and where the money went remained a mystery. Some time before his departure Lord Cromer was very ill, but he made a great effort and delivered a farewell address at the Opera House. To most people who were present, he gave the impression that his days were numbered. Happily this was not the case, and he lived to do some very useful work in England before he died. Many of the Egyptian notables had practically to be driven to hear his address, some being sent to Cairo by the Mudirs, in charge of Ghaffirs, from whom they escaped when possible. They had already forgotten what he had done for them, and how, by his splendid administration he had made them rich men. The peasants wanted him back again, but not because of what he had done for them. They thought he had taken away with him all the money that had been lost in speculation, and they wanted it back !

## CHAPTER XII

### LORD KITCHENER

It was said when Sir Eldon Gorst succeeded Lord Cromer as British Agent in Egypt, that all initiative had been taken away from him by the Foreign Office, and that his instructions were to work on set lines. Whether or not this was the case, his régime certainly did not sustain the standard set by Lord Cromer, but, after all, in any case Lord Cromer was a superlatively difficult man to follow. However, he looked upon Gorst as a promising young man ; but it must be said of him that with all his other great qualities he was not a good judge of men. Gorst began as First Secretary at the Agency, and later became Adviser to the Ministry of the Interior and Adviser to the Finance Ministry. He was succeeded by Lord Kitchener.

Whatever were Lord Kitchener's achievements in South Africa and at the War Office, a discussion of them has no place in this book, which is concerned with Egypt and Egyptian matters ; and it must be only in connection with the part of his career that was spent in Egypt that comment will here be made and that briefly. He came to the Agency with a great reputation, and was already well known to most of the people who mattered in Egypt. He had already been Sirdar of the Egyptian Army, gaining thereby an extensive knowledge of the country, yet one had the feeling that the natives, having watched him, as it were, out of the corners of their

eyes, accurately took his measure as a statesman and not infrequently hoodwinked him.

Kitchener was a very solitary man. With the exception of McMurdo Pasha and Colonel Fitzgerald, I do not know of anyone who was really intimate with him in Egypt. But no sketch of him would be complete without mention of Fitzgerald, who, to the great sorrow and grief of all his friends, was drowned with him on the *Hampshire*. Fitzgerald was nominally Kitchener's military secretary, but in reality he was much more, he was his friend and confidant, and Kitchener would go nowhere without him. He sacrificed his career to remain in the service of one man, and his post at times must have been very irksome. He was no Jack-in-office, as so many men would have been in his position. He was always accessible, always friendly, and always full of sound commonsense. I once went to him about a matter which I wished to bring to Kitchener's notice concerning future action. But Fitzgerald said it was no use: Kitchener never considered any future eventuality; he only dealt with matters that had actually matured. It was very characteristic of the man.

Lord Kitchener looked his best in uniform, his tall, commanding figure setting it off to its best advantage. He never struck me as being particularly clever; but he had a great personality. When he said something was to be done, it had to be accomplished, whatever the difficulties. He was undoubtedly hard and unsympathetic and could be relentless. As British Agent in Cairo his hardness was, perhaps, not so pronounced as in the Egyptian campaign, or, to put it in another way, not so evident. Whatever his genius, he rarely considered the feelings and convenience of others.

As most people know, Kitchener was a great collector of china, and a native would tell him he had certain pieces which had been in his family for generations and invite him to see them. Kitchener, ever on the alert for bargains, would admire the pieces, whereupon the wily native would beg him to accept them. Kitchener, of course, could not put himself under an obligation to a native, and would refuse to have them unless he could pay a pound or so. As the native had probably paid something like £40 for them a day or two before he was obviously trying to curry favour, but he reckoned without knowing his man.

I remember an amusing story of the overpowering effect a supposed friendship with Kitchener had in the country. One day while driving to Matarieh to pay a visit to Sir Alexander Baird, Kitchener met a Bedouin Sheikh whom he had known years before. He invited the Sheikh to get into the carriage and have a talk about old times, and the Sheikh accepted. A few days later, the Sheikh and Baird met, and the former mentioned that he wished Lord Kitchener would give him another ride in his carriage, the first having been extremely profitable for the Sheikh. It was apparently incredible to the natives that Kitchener would invite any but his very closest friends to ride in his carriage, and the Sheikh had already received several nice little sums from various acquaintances who sought to persuade him to exert his supposed influence with Kitchener !

One of Kitchener's schemes was the building of two model villages on some uncultivated ground, and the giving of a house and five feddans of land to landless peasants. Moheb Pasha, Governor of the Gharbieh Province, engineered this scheme, and when the houses were built and the title deeds

prepared, Kitchener came down for the opening ceremony. When he arrived on the first estate, he found the land being busily ploughed by all the available oxen and men of the neighbouring Omdas and scenes of great activity everywhere. Triumphal arches had been set up, and there were little girls with garlands of flowers. Then the delivery of the title deeds took place, but great as was the fear of the people of their Governor, there was considerable reluctance in accepting these deeds. The peasants knew very well that it would take three years to put the land into cultivation. It was impregnated with salt, which would take at least two years to wash out before a sparse crop could be grown, and even that would hardly return the seed with which it had been sown. In the meantime they had to live, and it was not a business proposition unless they were fed and clothed and supplied with agricultural implements and animals until the land was paying.

Kitchener, of course, knew nothing of this, and was not allowed to see the reluctance of the villagers to accept his beneficence. When a man failed to come forward in answer to his name, Moheb dashed into the crowd, seized the first man he came to and said, "You are Mohamad Hassan. Here, take your title deed!" In the meantime all the little girls with garlands and most of the ploughmen and their yokes of oxen had been transferred to the other property, where a similar comedy was enacted.

The result of the scheme was that owners of cultivated land above and below these two properties were deprived of their water and their crops perished through drought. Shortly afterwards, however, the villages fell into ruins, and the land relapsed into its former uncultivated state. The plan served

Moheb's interests very well. It brought him before Kitchener, who naturally thought him a fine, energetic fellow, never realising how much he was being deceived. In consequence of his activities Moheb was eventually made a Minister.

Lord Kitchener then had the idea of making a tour in the provinces in great style. When he travelled, everything had to be cut and dried. At the stations there were thrown out of the windows while the train was travelling at full speed telegrams, making arrangements for ceremonies at places ahead, and everyone everywhere was on the *qui vive*. Then the Khedive Abbas Hilmy thought he also should make a tour in the provinces, as it was derogatory to his dignity to be outdone by Kitchener. His tour was somewhat on the lines of that made by King John in England many centuries before, a general levy being exacted from any place or individual whom he honoured with his presence. Orientals are accustomed to this sort of thing, and always expect it from a native Prince, so they paid up cheerfully.

Kitchener and the Khedive were not on very good terms towards the end. The Khedive had built a private railway at Mariout, running into the western desert towards the frontier. He was trying to sell this to the Italians, and negotiations were almost complete when Kitchener stepped in and stopped all further progress. This and other matters did not promote harmony between them, and when Kitchener went away on leave in June 1914, matters were rather strained between them. Indeed, if war had not broken out, things might have come to such a pass that the Khedive would have been obliged to abdicate. He had wanted to do so once in Lord Cromer's time, but after Lord Cromer

pointed out that the ex-Khedive of Egypt would not be allowed to select his place of residence, the matter dropped.

Kitchener had a very short way with would-be belligerents. During the Tripolitan war with Italy, the Egyptian desert Arabs wished to fight against the Italians, and sent a deputation to Lord Kitchener to request permission. His reply, however, was to the effect that if they were such keen soldiers, he would alter the law governing their exemption from military service, and make them amenable to it. This proposition completely cooled their military ardour. They knew the man with whom they were dealing, especially when he was on his own ground as a soldier.

One further anecdote must conclude my sketch. At a garden-party given by the Sirdar in honour of Egyptian officers, past and present, Kitchener encountered some of those who had fought under him in the Sudan and remarked, "You are all looking very old and grey." One of them looked at Kitchener's head, in which no sign of grey was to be detected. "Hair-dye is very cheap, my lord!" he replied solemnly. I do not know whether Kitchener used hair-dye or not. He certainly had no grey hair, and the hot, dry climate of the Sudan turned most men's hair grey at a very early age. Perhaps Kitchener was an exceptional case.



## CHAPTER XIII

### PUBLIC SECURITY IN EGYPT

IN 1911 André von Dumreicher, one of the Inspectors in the Ministry of the Interior, persuaded the Adviser to that Ministry, Sir Ronald Graham, now British Ambassador at Rome, that it would be a good plan to put the Ghaffir force (night watchmen) on a military footing. Graham's knowledge of the country was almost nil, and his knowledge of Dumreicher, if possible, less. So Graham consented to his suggestion. Dumreicher was a German, born in Alexandria, and frequenting all the English society there, being great friends with all the young Englishmen of his generation. He used to make fun of his German compatriots to them, and so acquired the confidence of the English. He was very popular with them, and married an Englishwoman, a niece of General Sir Archibald Hunter.

The Ghaffir force consisted of some 45,000 men, spread all over the country. They were armed with rifles, and needed only training to make them into a Bashi-Bazook corps. To assist him in his work, Dumreicher had drafted into the force from the Egyptian Army, colonels, majors and captains, as well as a considerable number of officers of inferior rank. Camps of exercise sprang into being all over the country and musketry courses became the order of the day. In his early days Dumreicher had been an officer in the Coastguards, and always had the desert districts. Then he joined his father, who was a cotton merchant in Alexandria, but neither of them

was a shining light in the cotton market, and their business was soon liquidated. Dumreicher then managed to rejoin the Coastguards, and again he had the frontier desert under his charge. It was not discovered until much too late that he was playing a part for Germany, and playing it extremely well. He knew every Bedouin in his district, and made very elaborate preparations for the Great War. He was assisted in the Eastern District by the German Curator of the Arab Museum, who, it was alleged, spent his time in purloining manuscripts and cultivating the Bedouins. Dumreicher used all his influence to get posts for Germans in the police and elsewhere, among his successes being the notorious Morse, who was sentenced to death as a spy by court-martial very early in the war. Morse saved his neck by giving information which was of considerable value to the military authorities.

About this time, the rich native families who had English governesses discharged them and replaced them by German women, another matter in which it is possible that Dumreicher had a hand. I only saw him once in his German uniform, and that was at a ball at the old Savoy Hotel in Cairo, at which the German Crown Prince and Princess were present. It completely changed the appearance of the man—he looked arrogant and Prussian, and his moustache was brushed up like the Kaiser's. When the big German guns appeared in the desert, it was noticed that there were no trails leading to or from them, as there would have been had they been brought over the sand just recently. So there is no doubt that for long months before he had them well-buried in the desert, ready for the invasion of Egypt when the opportune time came.

At one time Dumreicher had Drummond Hay

with him in the desert, but he knew that, with an English officer in his command, his hands would be tied and he could do nothing. So he set to work to irritate Drummond Hay and to get him into such a state of frenzy that he so far forgot himself as to call his superior officer opprobrious names. That was what Dumreicher wanted, and he soon had him out, and replaced by a German. There is no doubt that the Germans laid their schemes well in Egypt. They established the Deutsche-Orient Bank and staffed it with German officers, and the same thing was done with every commercial concern in which the Germans had a hand. A German baron had three farms on the Ismailia Canal, which supplies Port Said and Suez with drinking water. He had made arrangements so that all the water could be diverted into the desert, a fact I learned from a native colleague who had a property in that neighbourhood. He told me also that the Khedive had been to see the arrangement and knew all about it. Mr. W. R. Williams, the Under-Secretary of State for Irrigation, informed the Residency about it, but he told me that his information was received with scant courtesy. The Residency was always discouraging when anything of real value was communicated to them, but had a rare faculty for being gulled by all sorts of plausible and worthless people.

Shortly after the Ghaffir force had been established on its new footing, I was at Beni-Suef on Assize. We had among our guard at the Rest House one of the new products. I asked him what was this new learning, and without a word he went through the whole of the manual of carbine drill. I then enquired about the shooting, and asked at what distance he had been taught to fire at the targets. He replied, "200 yards, 500 yards, and up to 1,000

yards." On my return to Cairo I met Graham and told him what a danger to public security this force might become, if once it obtained cohesion. I pointed out that Dumreicher was a German, and that he could not help making use of it for his country if the need arose. Graham looked at me with a pitying smile. "Do you really think so?" he asked.

During my leave in 1912 I was ill at Harrogate. It was very dull, and so I set to work to think out the problem of public security in Egypt, putting my thoughts on paper. These in the form of a memorandum I sent to Lord Kitchener at the Residency, and marked it "to await return," as he was away on leave. The Residency, however, sent it on to him in France, and I had a letter from there, in which my friend, the late Colonel Fitzgerald, thanked me on behalf of Lord Kitchener. On his return to Egypt, Dumreicher was transferred from the Ghaffir force to another post. My memorandum was as follows :

"Public security in Egypt has, since the date of the British Occupation, always been one of the most difficult problems with which the Occupants have had to deal. Up to the present time none of the remedies which have been tried have given satisfactory results. Serious crime is still rampant, and until something better than any of the means hitherto adopted has been tried, its suppression appears likely to remain an unsolved problem. It is interesting to review the measures which have been taken for the suppression of crime, and to analyse why they have one and all failed in their object.

"The institution of the Brigandage Commissions was the first important step taken by the Government, with this end in view. Certainly the Com-

missions did not err on the side of mercy, and it is scarcely an exaggeration to say that their conception of their duty included the punishment of every individual who had the misfortune to appear before them. Their idea of justice was that all were equal before the law, that is, equally guilty, and this view they maintained to the rigorous exclusion of all others. Their proceedings began to attract the attention of such public opinion as there was in Egypt at that time, and the Government very wisely put an end to their labours. Many stories are told of their proceedings, in one of which it is related that a man was tried for murder, the evidence against him being quite conclusive, but the Commission branched off from the main issue into a charge of stealing a donkey, for which they sentenced him and forgot all about the capital offence. Some of the survivors of their sentences were liberated a few years ago, and a somewhat tardy examination of their dossiers revealed the fact that there was practically no evidence whatever against them. The reason why these Commissions failed was that their members had no conception either of law or evidence, and like some of the people they tried, they had very little respect either for human life or liberty.

"The Egyptian Police is a body that has been organised and reorganised times without number, without much effect. They may look smarter, but it is a moot question whether they are really any better than they were twenty years ago. Perhaps in giving their evidence at the Caracol they are not so prone to refer to a European as "*Al Nusranee-al-Malaoon*" (the cursed Christian) as they were, and which the clerk euphoniously transcribed as "*Al-Khawagah*" (the gentleman). But their sphere of influence is very limited in the detection and prevention of crime. This failure on their part is probably due to no fault of their own, but is rather a natural consequence of their training and environ-

ment. In most cases they are the offspring of parents who were too poor to purchase their immunity from Military Service. Illiterate and untaught, ignorant of the very rudiments of everything except a little primitive agriculture, they were sent into the Army, and there put through a course of instruction which obliterated every sense of individuality which they might originally have possessed. From this they emerged with a machine-like precision of knowledge of drill and very little else, and were drafted into the police. This class of man naturally had no initiative, and was a policeman only in the sense that he wore a policeman's uniform. He was much more likely to commit than to detect a crime.

"The Police School during the last few years has been trying to leaven the Force with more efficient material. Its first products were undersized and weedy looking youths, whose truncheons made them look ridiculous and whose want of presence and physical strength formed a very serious handicap to their utility. They also lacked the brain and the training which might have proved a set-off against their physical deficiencies. They were arrogant and supercilious, and when left to their own devices and removed from supervision, they showed such a tendency to degenerate that the Police School had to be reformed. It is too early yet to say what the outcome of this reform will be, as it has not yet had time for a fair trial.

"The only persons at the present time who have any knowledge of the detection of crime are the members of that hard-working body the Native Parquet. It certainly does not lack opportunity for the exercise of its skill, as probably nowhere in the world is serious crime as prevalent as in Egypt. Detection is a good thing, but prevention is a better and more important issue, but with the latter the Parquet has no concern.

"About eight years ago, the Government was

suddenly struck with the idea that the institution of Assizes at the different provincial centres was the long-sought panacea for the increasing criminality in the country. The right of Criminal Appeal in Egypt was abolished at the same time as it was instituted in England. Mean little Rest Houses, which are very hot in summer and very cold in winter, were built at great expense for the Assize Judges. They look like the outhouses of the neighbouring residences of the English Judge of First Instance and the Irrigation officials. No attempt was made to herald the arrival or departure of the Judges by any of the Moodiria authorities. The Judges arrived and left with less ostentation than the humblest native merchant in the Assize town. No official recognition was made of their presence. Nothing was done to emphasise the dignity and importance of an Assize, or to bring home to the minds of the people the object lesson it should have conveyed. Yet the East always responds readily to display, and the spectacle of these men driving in a rickety old street arabieh to the Court would not be likely to suggest any intention of creating a sensation or making an impression. The pageantry which is still thought necessary, even in England, to uphold the majesty of the law and the dignity of the Judges on Assize was conspicuous by its absence in Egypt. Yet the Assizes were instituted with the object of making an impression in the native place of those who were brought before them on trial. They were supposed to deter as well as to punish. The only difference between the Assize Judges and the Judges of First Instance, who had been hearing misdemeanour appeals (some of which, such as forgery, would be crimes in England), in the same Court, the previous day, was that the Assize Judges wore green sashes and those of First Instance wore red. The impressive robe of scarlet and ermine has not yet made its appearance in Egypt.

“ The Courts are rarely crowded, the newspapers do not report the cases, and the prisoners very often come from a long distance. For all the local interest the Assizes create, their cases might just as well be heard in Cairo or Alexandria. Indeed, it would be more practical if all Assize cases were heard in Alexandria during the hot months of the year. The expense would not be greater and the Judges would be able to do their work, fewer in number and with more accuracy, than can possibly be attained in the great heat which prevails in the other Assize towns during the summer. This would probably create a greater impression than a local Assize, which is not local in reality, as the homes of many of the prisoners are several hours' journey from the Assize towns.

“ The only claim which the Assize Courts can be said to have fulfilled is that they have slightly decreased the period, at no time great, between an offence and its trial. Certainly they have in no way contributed to the diminution of crime.

“ About three years ago, the Relegation Law came into force, and under its provisions a great number of people who were looked upon as suspicious characters were sent to a penal settlement at Khargeh, in the Western Oasis. The people mostly affected by this law were blackmailers, who lived by levying toll on the landowners by threatening to destroy their crops or steal their cattle, unless they were employed as watchmen or provided with the means of living without the necessity of work, as well as certain individuals who had escaped the law through want of sufficient evidence against them to secure a conviction. This Relegation Law is, for the time being, in abeyance, and is looked upon by the Government as being a measure to be used with the greatest discretion. If it were in permanent working for a sufficient length of time, there is little doubt that, by a process of elimination,



the bulk of the population would be sent to Khargeh, as it affords such a scope for the exercise of private vengeance. In Egypt the amount of enmity which exists among different families living in the same village is extraordinary; and to find a parallel for the well-established feuds which have existed between neighbouring villages for generations, it is necessary to go back to the Border raids, which occurred two hundred years ago in England. These feuds lead to a great deal of crime, and can only be stopped by supplying the country with roads that would enable the authorities, duly warned by telephone, to reach the place in question in a motor-car in time to prevent serious developments. There is no reason why the inhabitants of every district should not be held responsible for the making and proper maintenance of their roads, as is done in all civilised countries. There is no doubt that good roads conduce more to the suppression of crime, the maintenance of order and the advance of civilisation than any other known method. Where there are no roads, there is always turbulence and disorder, a want of respect for authority and a large degree of immunity from the arm of the law. The roads at present existing in the provinces are uneven tracks, ankle deep in dust in the summer and from the nature of the soil impassable after rain to any but bare-footed pedestrians. They are encroached on for agricultural purposes by the adjoining cultivators, and what is left of them is so rough and uneven as to preclude the idea of a mounted man going at any pace, without his beast falling before he proceeded any distance. It now takes hours before any sufficient force can be put on the spot to quell a disturbance, which has arisen at any place distant from a police centre.

“The roads in the mountain passes in Switzerland were built to a large extent by prison labour. Is the road problem in Egypt a more difficult one? Cer-

tainly the supply of prisoners is greater than would be found in any other country with four times its population. The work done in the prisons at the present time competes with the free labour market, and would be better diverted to the general well-being of the country, rather than to keeping down the Prison Budget.

"From the point of view of civilisation, from a military point of view, as well as for the maintenance of order and the diminution of crime, good roads are a cardinal necessity to every country which has these objects at heart. Concurrently with the Relegation Law, the Ghaffir system of the country was reorganised and put in charge of a German Army Officer in the service of the Egyptian Government, who was aided by native officers from the Egyptian Army. The recruits were armed with rifles and given long courses of musketry instruction and general orders that if they saw a thief they were to call upon him to stop. If he did not obey, they were to fire in the air, thereby running a very good chance of shooting someone in the next parish, a mile and a half away.

"Fundamentally the Ghaffir system is on a wrong basis, and no amount of ribbon of any colour whatever round their "*libdahs*" (caps), cartridge bandoliers, or rifles will free them from being under the absolute control of the Omda and their Sheikhs for the wreaking of private vengeance or the commission of any kind of villainy. Armed with rifles they are doubly dangerous, for in the event of anything like a general disturbance the force would have to be reckoned with. If fire-arms are necessary, a double-barrelled muzzle-loading shot-gun charged with No. 4 shot would meet all their requirements, and with it they would be much more likely to hit the target. If they prevented or detected crime, something might perhaps be urged for their maintenance on a war footing, but even this cannot be

argued. No people can be dragooned into keeping the law by such a system. The Ghaffirs do not keep it themselves, and are certainly responsible, as an examination of the criminal records will show, for a not inconsiderable proportion of the crimes in Egypt.

"No one outside the Government officials into whose province it enters really takes any practical interest in the suppression of crime. The villages are hives of intrigue, and those who have grasped the reins of power use that power to their own advantage, whenever occasion arises. There is a continual struggle as to who shall be top dog, and this leads to the perpetration of no inconsiderable amount of crime. Village life is purgatory to a man whose ways are not crooked, but there are few of that kind. In order to induce such a people to become law-abiding, it is incumbent to give each individual a personal interest in the matter. The Ghaffir list should be made up of all males who have reached the age at which they are liable for military service. The duty should be compulsory, unpaid, for short periods, and in rotation. The exemption fee should be so high as to make it within the reach only of large landowners. There would be no hardship in such a system, as the service would not be sufficiently arduous as to become a burden. Every adult male in the village would be made to feel that the prevention of crime was in some small degree within his province, and that he had incurred a sense of responsibility. From the list of Ghaffirs, Sheikhs and Wakeels should be selected in numbers sufficient to prevent any of them acquiring power for ill-doing, or make their duties too strenuous. Satisfaction would at the same time be given to all the aspirants for such an honour. The office of Omda should not be held for more than one year. This would give every eligible person a chance of holding that office, and would put an end to many

of the feuds which arise under the present Omda system. At the same time it would prevent Omdas from acquiring the arbitrary power which many of them now undoubtedly possess.

“Such a scheme might possibly sow the seed for the ultimate germination of a system for local self-government, which would be acceptable both to the people of Egypt and the occupying Power. It could not fail to instil some notions of the rights and duties of citizenship, and would soon show that it was to be reckoned with as an effective means of preventing crimes in rural districts.

“The Arms Act has been in force for many years, but it is very much more honoured in the breach than in the observance. It is scarcely an exaggeration to state that every adult in the country has a fire-arm of some kind. In the Province of Assiut, he has in addition, a knife strapped to his arm, and a murderous looking spear in his hand. The stillness of the darkest nights in rural Egypt is broken by the constant discharge of gun and rifle, why or wherefore, no satisfactory reason is forthcoming. Does it proceed from the peasants watching their crops by night, or is it the outcome of fear on the part of the Ghaffirs? One thing is certain—there is no lack of ammunition.

“Is it necessary that the population should be armed when these arms are in a great measure responsible for a considerable amount of crime? Would it not be wiser at any sacrifice, and that in the interest of the people themselves, to proceed to a general disarmament? The arms are responsible for a large amount of disorder and a considerable loss of life. They give confidence to an assassin which a less lethal weapon would not inspire. It is so easy to lie in hiding in the dhurra and wait for the passage of an enemy and shoot him down in his tracks. The shelter is so thick and the risk of detection so small that it is not to be wondered,

with the mentality of these people, that murders increase when the crops are high.

"It is sometimes urged that the population must be armed to enable them to defend their homes and their crops. This necessity would cease if a general disarmament took place, except in parts of the country bordering on the desert, and liable to the incursions of that prowling jackal the Bedouin. But the Ghaffirs should suffice to cope with such an eventuality.

"The tent-dwelling Arab in Egypt is a loafer of the very worst class. Treacherous and vindictive, with a dislike to honest work amounting to aversion, he should be summarily dealt with, and treated in the same way that America has treated her Red Indians—put in a reservation out of which he could not emerge without being shot on sight. These Bedouins are responsible agents of all the smugglers who import hasheesh, arms and gunpowder into the country. For the most part they have no fixed abode, own no land, pay no taxes, are exempt from military service, and enjoy a complete immunity from all the obligations of citizenship. And this, apparently, because they are the scum of Egypt's population. Why any sympathy should be extended to them I cannot understand. They are responsible for much of the crime of the country and nothing can be set to their credit. Moreover, as years go on, they will increase and multiply, and the problem of how to deal with them will become more difficult to handle.

"Education and morality are very important factors in reducing crime to reasonable limits, but though very sure, they are slow and make very little progress in a generation. Education, to be efficient, must begin in the home, and it is the work of the parents rather than that of the schoolmaster. Any amount of time tables and educational progress really do very little for the youth of a country unless

they are backed up by a sound home-training. This early training is almost entirely lacking in Egypt. Mental culture imparted by the schools may make a lawyer, a doctor or an engineer, but alone it will never make a man and a good citizen, especially when suitable correction may not be administered at opportune moments. In many instances the child is spoiled by the sparing of the rod.

"The schoolboy in Egypt has no sense of discipline, and he does not possess the good and dignified manners which distinguished his forefathers. His career, during his school life, is marked by a disregard of authority, by turbulence and insubordination. And it is these characteristics which unfortunately cling to him long after he has forgotten the parrot-like instruction which enabled him to pass his examinations. There is a wide difference between education and instruction, and the Egyptian has apparently no use for the former. His mental horizon is bounded by the limit of gaining as much daily bread as his capacity for examination passing will allow him. However old he may be, he never grows up in a Western sense, but always retains the worst features of the spoilt child. His fetish is Nationalism, which he is not capable of understanding, nor is he unselfish enough to bear the sacrifices it entails. The moral part of his training has been entirely neglected, and the country can place little reliance on, and anticipate little help from, the output of her schools until a radical change is made in the system of early education. The present system is more likely to produce anarchists than law-abiding citizens.

"The Press in Egypt has done nothing towards making the idea of crime repugnant to the people. Yet a great field lies before it for bringing home to such a newspaper-reading people the iniquity of the criminality which exists in its midst. It may possibly not be unworthy of the consideration

of Government to run, or subsidise a paper in the vernacular, which would deal with subjects of vital importance to the people.

"It is too early yet to say what the influence of the Industrial Schools will be in instilling law-abiding instincts into the rising generation. They are chiefly remarkable at the present time for being an intolerable nuisance to their more sensitive neighbours by reason of their fondness for that abominable form of music so familiar at native weddings. The teachers are not yet reasonably efficient, and so it is hopeless to expect their pupils to turn out masters of any craft. Teaching is sacrificed to profit making, and it is doubtful whether they will, on their present lines, achieve any useful object. The most salient feature in school life in Egypt is the discarding of the *galabieh* for European clothes of the ready-made order. These clothes do not fit, they cramp the limbs of the children, are worn until they drop to pieces from decay, in a country where a frequent change of raiment is a primary necessity, and where, of a truth, cleanliness is next to godliness. That backbone of Egypt, the man in the blue *galabieh*, will soon be reckoned among the things of the past."

The following conclusions may readily be deduced from the premises which preceded them :

1. A network of good roads is necessary all over the country.

2. The Ghaffir and Omda system requires revision on the lines indicated.

3. The efficiency of the police in Cairo and Alexandria under British Military officers more than suggests that the same material should be employed in the provinces, as native talent has been tried long enough to demonstrate that it has not been conspicuously successful.

4. A small mobile squad of police under a British officer should be quartered in villages where crime is too prevalent, at the expense of the inhabitants, and kept there until there is a change for the better.

5. The employment of police dogs for tracking criminals.

6. The Assize Courts should be invested with the power of ordering flogging in all cases of crime accompanied by violence. Any punishment which they can and do now inflict has no deterrent effect whatever. The use of the "cat" is the only punishment which appeals to any individual in whom the instinct of the brute is too predominant. It stopped garrotting in England, when all other punishment failed to have any influence. Its effect was instantaneous. A death sentence is absolutely inefficacious in Egypt, and is met with callous indifference. Human life is always held in little esteem where the standard of civilisation is low. Is it not an appalling thought that murder should be committed with little or no provocation and be of so common an occurrence as not even to excite comment? Do the perpetrators of murders and crimes with violence merit the indulgence of immunity from the one and only punishment which they fear, the one and only penalty which strikes terror into their hearts and acts as a deterrent to others from following too rashly in their footsteps? Is a sickly sentimentality against this form of punishment to prevail merely because it was abused in the past? Is murder to be rife in the land for such a reason? Is not the maintenance of public security one of the most elemental duties of government? Must it not be maintained at all costs and in spite of all opposition? Whom is it suggested the Assize Courts should order to be flogged? The law-abiding



citizen ? No ! The murderer, the brigand, the man who commits robbery with violence. These are the people who would be flogged. Can any sympathy be extended to such people, except by those who would, in fact, by this sympathy, though not in law, render themselves parties to the crime after its accomplishment ?

“ The application of these suggestions, together with the general disarmament of the people, the making of roads, the use of the police dog, and the solution of the Bedouin question, would leave Egypt in no way inferior to other civilised countries as regards public security.”

## CHAPTER XIV

### EGYPT IN WAR TIME

WE were travelling to England in a P. & O. ship, when we heard the news of the assassination of the Austrian Archduke and Archduchess at Sarajevo. When I reached London, I made arrangements for extra sick-leave and booked our return passages to Egypt. I had some difficulty in getting accommodation, and then had to appear before a medical board to be certified that I was fit to return. To my surprise and consternation the board informed me that I was not fit. I asked whether the decision was in the interest of the Egyptian Government or in my interest? They replied that it was entirely in my own interest, but were very loth to pass me, even when I pointed out that I stood a much better chance of getting well at work than moping in England. Eventually they yielded, but it was not long before I discovered how right they had been.

Our ship was crowded. There were numbers of women and children, many of whom were going to their homes in the Far East. Two or three Egyptian officials who had been detained by illness were also on board. Little did we think when we sailed that it would be the summer of 1919 before we again saw England. It was dark as we set off down the Thames, and very soon we were hailed by a gun-boat. It was just at the time when everyone was dressing for dinner, but I happened to be early and was on deck, almost its sole occupant.

What ship were we? P. & O.—

Then the eerie voice from the darkness spoke again.

"You must put out all lights and proceed at your own risk. If anyone wishes to go ashore, we will take them off."

No one took advantage of the offer. We arrived at Plymouth next day, and there the crew struck, and it was twenty-four hours before we got away.

The strikers were led by a stoker who declared that there were not enough seamen aboard to work the ship. Eventually a number of naval ratings agreed to work her as far as Gibraltar, where we took some Giuseppees and Giacomos in their place. There was not a Lascar aboard, the war having for the time being paralysed them with fear.

In the Bay of Biscay we were hailed by a French cruiser; but we saw nothing of the *Goeben* and the *Breslau*, which were then in the Mediterranean. The former had actually been at Port Said when we had left for home. Everything seemed much as usual when we returned there. Here and there on our railway journey alongside the Canal we saw a British soldier doing sentry duty, but otherwise there was no sign of war. In Cairo it was apparently just the same, and we arrived at our house at Zama-lek, Gezira, and found everything in perfect order. Cairo was full of territorial troops, but civil and administrative life went on very much as usual. Shortly afterwards the Australian Infantry Division arrived, and were encamped in the desert at the back of Mena House, which was turned into a hospital. It was not long before every bed was occupied with the sick. The men were taken long route marches on the sand to get them into condition, and when they returned to camp in a very much overheated state, they threw off their coats

instead of putting on extra ones, and many caught pneumonia.

I soon discovered a friend of my boyhood among the Australians, Colonel Sturdee, a brother of the late Admiral Sir Doveton Sturdee. We had known each other as boys, and were students together in London. The last time I had seen him was many years previously, when I went into the City with him to try to get him a billet as doctor on a ship going to Australia. Sturdee told me that he landed there with £5 in his pocket, and had never returned to England. He served in the South African War, but returned to Australia immediately it was ended to resume his practice.

Outwardly the Egyptians were quite quiet. They had not gauged the situation so far. In their hearts they were hostile to us. When Turkey entered the war on the side of Germany they were not organised, and their leaders were taking stock of the situation. Public opinion, too, anticipated that the severance of the tie with Turkey would be followed by a closer connection with Great Britain in some form or another. And so it came to pass. The British Protectorate was declared on the 18th December, 1914, and on the following day a proclamation was issued that His Highness Prince Hussein Kamel Pasha had accepted the Khedivate. He was informed that Great Britain accepted full responsibility for the defence of His Highness' territories; that Egyptian subjects, wherever they might be, would be entitled to receive the protection of His Majesty's Government; that with the Ottoman suzerainty would disappear the restrictions hitherto placed by the Ottoman *firman*s upon the numbers and organisation of the Egyptian Army, and upon the grant by His Highness of

honorific distinctions ; and that, as regards foreign relations, His Majesty's Government deemed it most consistent with the new responsibilities assumed by Great Britain that the relations between His Highness' Government and the representatives of the Foreign Powers should henceforth be conducted through His Majesty's representatives in Cairo. It was also indicated that the treaties known as the Capitulations would be revised at the end of the war. Great Britain affirmed her intention of remaining faithful to the policy, in such measure as the degree of enlightenment of public opinion might permit, of associating the governed in the task of government and expressed the conviction of His Majesty's Government that the clearer definition of Great Britain's position in the country would accelerate progress towards self-government.

The Powers were notified of these proceedings, and were assured that His Majesty's Government had no intention of impairing foreign interests and wished to act in harmony with them in making those changes affecting their interests. The Powers were also informed of the appointment of a High Commissioner as British representative in Egypt and Minister for Foreign Affairs in the Egyptian Government, and were requested to be good enough to instruct their representatives to address all official communications to him in the future. It should never be forgotten by the Egyptians that the Protectorate was confirmed in the treaties of peace, and had been expressly acknowledged by Belgium, France, Greece, Portugal, Serbia and the United States of America.

The veiled Protectorate which had been exercised by Great Britain for over thirty years was now transformed into an open Protectorate. This did

not alter the situation in Egypt, but what its material advantages were, not even those responsible for it have ever been able to explain satisfactorily. Our dominant position, together with martial law, gave us a free hand, and it seems to have been one of those half-measures which have been so prejudicial to us in our dealings with Egypt. We deliberately neglected the opportunity of incorporating Egypt in the Empire, and proclaiming annexation, as was confidently expected by all its inhabitants, natives and foreigners alike. It was a colossal mistake to prefer the vague and indefinite Protectorate to the more certain and definite annexation. The wisest and best of Egypt's very few statesmen, the late Mustafa Pasha Fehmy, made no secret of his opinion that Egypt's future welfare lay in her annexation to and inclusion in the British Empire. He saw no peace for Egypt until the *de jure* and *de facto* rulers were merged in one man. Had we annexed Egypt when we proclaimed the Protectorate and promised to give her Dominion Government after the war, we should have had no trouble then or now. Our angle of vision was faulty, and the chance of putting relations between ourselves and Egypt on a really satisfactory basis was lost.

The choice of the word Protectorate was in itself unfortunate. The Arabic equivalent of this word is *Himaya*, which was the term applied to all sorts of scallywags who had, mostly by dubious means, become the subjects of Foreign Powers. The word carried a reproach with it, and for that reason, if for no other, was unacceptable to the Egyptian people.

Prince Hussein became the first bearer of the title of Sultan amongst the descendants of Mohamad Ali. He was a thin, spare man, endowed with great dignity and charm of manner, and was known

for his liberality—very important assets in an Oriental country. The first time I met him was in pre-war days at the house of Mustafa Fehmy. It was only for a moment, as it was etiquette that I should go as soon as the introduction had taken place. He subsequently recalled the fact of our meeting when he was Sultan, and had even remembered the day, the month and the year. I went to pay my duty and respects to him shortly after he became Sultan. We talked in Arabic; he was charming, and I felt at ease with him at once. He was a “grand seigneur,” and there is no better expression to be found to describe him. On another occasion he sent for me to go and see him at the Palace of Ras-al-tin at Alexandria.

He was universally respected, and amongst the rural population he had a great reputation as a good landlord and an expert farmer. He had large landed estates which he frequently visited, and when he was only Prince Hussein he used to dispense justice amongst his tenants and labourers. The Court House was a big, shady tree, and often when a man's case was just, and yet there was a good deal to be said morally for the other side, he would pay the claim out of his own pocket. If all Egyptian landlords had been like him, the Courts would not have been so overburdened with work and a better moral tone would have been inculcated into the people.

He had been brought up at the Court of Versailles, and had chances and opportunities of preparing himself for the part he was destined to play with such honour and distinction. As a young man, during the reign of his father Ismail, he had held nearly all the ministerial portfolios. He knew his Egypt well. He was not the man to be trifled

with or to condescend to Nationalist intrigues. What he said to his people was good in their sight, and it was very largely due to his influence and personality that Egypt gave no trouble during the war. He checked the activities of Al-Azhar, which has at all times exercised a great influence in fostering or creating discontent against any ruler. He admonished them to attend to their own concerns. The young Pan-Islamic and Nationalist Parties, which had been in close and sympathetic relations with the Young Turks of Constantinople, were also kept in a quiescent state by the personality of the sovereign. The Egyptian Ministry, under the Premiership of Rushdy Pasha, were given their orders, and the Sultan took very good care that they were strictly adhered to. The British Government owe him a great debt of gratitude for his sane and statesmanlike attitude during the war.

There was, however, a fly in the ointment. Sir Henry MacMahon had been appointed Great Britain's first High Commissioner in Egypt. He had held the post of Foreign Secretary in India, and had of course very different ideas from the Sultan's as to what was the right thing, the question of precedence once creating acute difficulty. It had been arranged that the Ulema should go on the pilgrimage to Mecca and there make an official pronouncement in favour of the cause of the Allies and of England in particular. After the trouble with the High Commissioner, the Sultan washed his hands of the matter. The Ulema went to Mecca, but they made no pronouncement. When MacMahon left Egypt Hussein gave a farewell banquet in his honour. He was not the sort of man to be guilty of any petty action.

When Hussein first became Sultan, he was not



too popular on account of being a protégé of the British Government, and there was still a feeling in the country in favour of the ex-Khedive, but the Sultan, by his extreme generosity and benevolence, lived down all hostility. In addition to his care for his own people, he was a very generous contributor to the funds of the Red Cross, both in money and in kind. Yet, as is the way of the Egyptian, this did not prevent a very serious attempt being made on his life, which was happily unsuccessful.

He died on 9th October, 1917. His devotion to duty hastened his end. His reign had been marked by security and progress. The enemy had been driven from the gates of Egypt. Agriculture had flourished and reforms had been initiated. Some two years before his death, Sultan Hussein had expressed apprehension that on his decease His Majesty's Government might desire to bring back the heir of the ex-Khedive, and in the interests of the internal peace of the country His Highness was anxious that the order of succession should be laid down at an early date. His own wishes were that it should be his only son Prince Kamel-al-Din, or his brother Ahmed Fuad, or his cousin, Prince Yusuf Kemal.

Neither Prince Kamel-al-Din nor (at that time) Prince Fuad had sons, and the nomination of Prince Yusuf Kemal in the second instance was designed to provide for the contingency of the two prior claimants dying without male issue. The day before Sultan Hussein's death, Prince Kamel-al-Din addressed a letter to his father renouncing his claim to the succession, leaving Prince Fuad next in order of those princes whom Hussein had suggested to His Majesty's Government as his successors.

## CHAPTER XV

### GALLIPOLI

IN the spring of 1915, and until the evacuation of Gallipoli, Egypt was brought nearer the war. I shall never forget going down to Alexandria Harbour and seeing the wounded come from the Peninsula. I expected to find my brother amongst them, for I had received news that he had been wounded there on the second day of the landing.

The ships which brought over the wounded were not hospital ships. There were no nurses and no doctors on board. The wounded had only their field dressings, and the stokers of the ship when a wound broke out afresh dressed it with cotton waste to stop the bleeding. Those that died in transit were laid out in a corner of the deck and those that were thought likely to die were put next to them.

Nothing was prepared for the reception of great numbers of wounded. Hospital accommodation and nurses were both lacking. Happily at Alexandria Mr. Leonard Enness, who was head of the Towns and Buildings Department, at once set to work to transform the big Egyptian schools and Victoria College into hospitals. He worked day and night to get things into order, and he made no heavy weather about it either. Many a man must have owed his life to his efforts.

The German Hospital, which was a magnificent building, was made full use of. In times of peace it was really run by Dr. Morrison, but the nursing sisters were all Germans from a nursing sisterhood

in Germany. The one exception was the matron, Miss Dora Brook, who was English and most capable. Owing to the death of her father, a small British official in India, when she was a small child, she was adopted by an aunt, who had married a German. She went into the nursing sisterhood and ultimately came to the hospital at Alexandria, where she was when war broke out. Unfortunately she was, in spite of her birth, very anglophobe. What was to be done? The German sisters were enemy subjects, but there were no English nurses to take their place, and they nobly volunteered to do the nursing until they could be replaced. They did not spare themselves either, and earned the gratitude and respect of every officer and man who was ministered to by them. When they were replaced their patients all signed a manifesto expressing their gratitude for what they had done.

Germans and Austrians were all rounded up. Some of them were old men like Herr Ruelberg, the chemist, whom all the English patronised. Ruelberg had fought in the front line in the Franco-German war of 1870, but then, as he explained to me, "they fought like gentlemen." Eventually he and all the old men were sent out of the country. Some of them, especially the Austrians, were enemy subjects only in name. Egypt was their home, and they must have hated the war, which lost them everything that in long years of effort and toil they had gathered together as a provision for their old age.

There were no convalescent homes in Egypt until nearly the end of the Gallipoli campaign, and everyone was asked to take in as many cases as possible. We were singularly fortunate in the men who came to us. Most of them were either officers from my brother's Division, or friends of his. He was in com-

mand of the 29th at Suvla, but the Division arrived too late to do any good. He was then given the 53rd Division, which had been very much knocked about, and reduced to about the strength of a Brigade. He had charge of the evacuation of Suvla, and later went to Salonika to take command of the 27th Division.

That same year, 1915, I had the Beni-Suef and Alexandria Assizes. It was pretty hard going. Beni-Suef was south of Cairo and Alexandria was the railway terminus to the north. I never had more than three or four days in my own house at a time, and that time was very fully occupied reading up my cases for the next Assize. Crime can never be said to be on the decrease in Egypt, and where there is any apparent decrease, it is entirely due to lack of supervision on the part of the officials of the Ministry of the Interior.

I had wanted my daughter to go and work at the military hospital at the Citadel in Cairo to gain some practical experience of nursing after her Red Cross training in England. I spoke to Colonel Knaggs, who was the P.M.O. in Cairo, and was a friend of mine; he was not enthusiastic, and referred me to the matron. This lady was not only not enthusiastic, but was frankly hostile to the idea. She said they did not want any assistance and they did not want to train anyone. She looked upon the territorial troops as a nuisance in the hospital and only cared to nurse regulars. The time was not long in coming when every woman who had had a little training or even none at all was required, and my daughter, when she was called up, had her first experience of nursing in the operating theatre at the Kasr-al-Aini Hospital. She was subsequently often left in sole charge for hours at a time of a large ward.

General Sir John Maxwell was in command of the

troops. I had known Maxwell for a good many years and he had many friends in Egypt. He was very popular with all the cosmopolitan society, and there is no doubt that he helped to smooth many matters over, which in less tactful hands might have led to friction. Maxwell at one time had visions of becoming Governor-General of the Sudan and Sirdar of the Egyptian Army. With this object in view, it is related that he presented himself for the Army Arabic examination, but evidently Arabic was not his strong point, as all the corporals and privates passed, but the General was amongst the failures. He was an ideal man for the post he occupied at the beginning of the war. It was not so much military genius that was required of him (the Turks very nearly succeeded in crossing the Suez Canal) but a capacity to weld together and keep in harmony Egypt's heterogeneous population. He acquitted himself well of that task. Before he left, Egypt was packed with Generals. It was said there were as many Generals as there were piastres in the pound sterling—i.e. 97½, the half being General Murray, who was still on the sea. It seemed indeed that every officer, whatever his rank, of whom it was desired to get rid was sent to Egypt, where a job of some kind had to be made for him. Many of them appeared unable to travel except in a motor-car, nor apparently was any one of them overburdened with work. Eventually a thorough combing out was done by General Lawson.

In high quarters, meanwhile, there were changes. Lieut.-Col. Sir H. MacMahon succeeded Kitchener. He had been in the Indian Army, and rose to be Foreign Secretary of the Indian Government. When Kitchener was looking for a man to hold his post in Egypt until his return, MacMahon caught

his eye. Unfortunately, he knew nothing of Egypt, and was run entirely by the late Lord Edward Cecil and Sir William Brunyate, who never allowed him to exercise his own judgment in Egyptian affairs, but he seemed to please the British commercial community, in whose affairs he appeared to take some interest. As no one had ever done so before to the extent of dining with them and making them a speech, perhaps a little interest went very far. He was superseded in 1917 by Sir Reginald Wingate, who had been Governor-General of the Sudan and Sirdar of the Egyptian Army. Wingate was always known in the Sudan as "Master" by all his subordinates. A kinder-hearted man never breathed, and both he and Lady Wingate were always the first to visit anyone in real trouble. Wingate was a clever man, full of tact. He is, moreover, a writer of some repute. He had grown up with the modern Sudan and knew it and its people inside out. His appointment to the High Commissionership was very popular, except amongst a small band who recognised that he knew too much to be simply a puppet in their hands. He knew, of course, everyone who counted in the Egyptian political world, which was a great asset. His hands were, unfortunately, much tied, and with the notable exception of his military attaché, Major Alexander, members of his staff appeared to be disloyal. There were intrigues against him in Egypt and also at home. During the latter part of his tenure of office, after the death of the Sultan Hussein, the Egyptian politician began to raise his head and formulate his demands. Wingate gave perfectly sound and common-sense advice to the Home Government on the points raised, but because it was so sound it was rejected, and Wingate was thrown to the dogs. He

had just made arrangements about replacing some of those who were about him with men upon whom he could absolutely rely, when he was called home to give advice on the Egyptian situation. So much was the British Government in a hurry to seek his advice and gain from his experience and knowledge, that he was kept waiting a very considerable time before he saw anyone at all. He never returned to Egypt, and his great services there and in the Sudan were only very tardily recognised some time after he had been made a catspaw in the great game of grab.

In the spring of 1919, shortly after the departure of Sir Reginald Wingate, the revolution broke out in Egypt. General Allenby, as he then was, was in Paris, having been summoned there by the British Government to give his ideas on the Syrian question. Wingate was in London, and it was thought for once in a way that matters in Egypt were serious and that it was necessary to act quickly. At a tea party, Mr. Lloyd George cast his eyes round the room, and they fell on the soldierly figure of Allenby. With his usual Celtic impulsiveness he made his decision on the spot, and Allenby was sent out post haste to Egypt as Special High Commissioner. Did the British Prime Minister ask himself whether a lucky soldier, without any previous experience of the East and its problems, was the right man for the most difficult and complicated post of all in our foreign relations, requiring not only the skill of the diplomatist and statesman, but the craft necessary to deal with Eastern guile? What qualifications had Allenby? His usual reply to Egyptian delegations was, "I am here to maintain order"; and even that he did not succeed in doing in a way that commended itself to his fellow-countrymen and some of the thinking men amongst the Egyptians. Harmless

and innocent Englishmen were murdered in broad daylight in the most frequented streets of Cairo. Lord Cromer would have gone to the King after the first murder and said, "Your Majesty, this kind of thing must cease. I will give you plenty of time to find the guilty persons; take twenty-four hours, and if at the end of that time they are not forthcoming, the occupancy of the throne will have to be reconsidered."

When the revolution began I wrote to my brother and gave him what I considered to be the causes of the trouble in Egypt as well as the remedies. A copy of this I submitted to General Bulfin, who was in military command during Allenby's absence, and he in turn showed it to Allenby, having told me that he hoped Allenby would act on it. Some time afterwards I endeavoured to get the document back. I wrote to Bulfin, who replied :

"The notes you so kindly gave me early in the disturbances were given by me to General Bols to show to the Special High Commissioner, which he did. I am sorry to say he tells me he destroyed these notes, as he did not think it advisable to risk their falling into outsiders' hands. I hope the action will not cause you inconvenience. The delay in answering your letter has been caused by your note following me to my new Head-quarters and my having to enquire from General Bols."

Allenby was not the kind of man to assume responsibility in a combined military and civil post, so all my suggestions, based on a thorough knowledge of the country, were, I suppose, consigned to the flames, and the Egyptians raised their tails to a height they had never dreamed of. One evening the telephone bell rang, and I was informed that Lord Allenby wished to see me the following morning at the Residency to have my views on the situa-



tion in Egypt. This involved sitting down at my desk immediately after dinner and working until the small hours of the morning. I went to the Residency at the time fixed, and found Lord Allenby alone, though we were joined later by Sir Milne Cheetham. I only remember that I had to do all the talking and they did all the listening.

On another occasion Lord Allenby sent for me to talk about the Pensions improvement scheme. This was a matter in which I had interested myself and formed a small mixed committee of Englishmen and Egyptians. I remember how difficult it was to evolve a scheme which commended itself to both parties, but I managed it. We talked about that, and then I mentioned a draft law which had been drawn up by Sir Maurice Amos, who was then Judicial Adviser, and which in my opinion might put the High Commissioner between the devil and the deep blue sea. Allenby asked me to make a report on it, which I believe Amos had to take, much against the grain, I imagine, to the Foreign Office.

My next interview with Allenby was when I went with Talaat Pasha, the President of the Court of Appeal, and General Blakeney, the General Manager of the State Railways, to put before him the Pension scheme again. I had written a financial note on the subject, more for the purpose of explaining it to him in the speech I would have to make than anything else. On second thoughts I came to the conclusion that it would be best to send it to him before we saw him so that he could study it at his leisure. I believe he communicated it to Sir Paul Harvey, the Financial Adviser, who would not like it much, as I had rather used his own arms against him, with a certain amount of help from Adam Smith. In any case Harvey had put in a

counter-report, in which he must have attacked me pretty strongly. We had scarcely been ushered in when Allenby turned on me, telling me that I had no tact, which was probably true, and then proceeded to state that I wished to usurp his functions of High Commissioner. We went at it hammer and tongs for some time. I would have left the room had I only had my own interests at heart, but I was there as the spokesman of a representative body and I had to stick it out. However, Allenby cooled down, and when we left, it was on amicable terms. When I retired from the Bench, I went to take official leave of the High Commissioner. He was most kind, and thanked me for the services I had rendered to England in Egypt and also for the great personal services I had rendered him.

The appointment of Lord Lloyd of Dolobran to succeed Lord Allenby in 1925 was one of the few instances of sanity which have been displayed by the British Government in its relations with Egypt during recent years. He is still a young man, having been born in September 1879. He has always been a student of Eastern politics and has travelled extensively in Burmah, India, Little Thibet, the Himalayas, Egypt, Morocco and Asia Minor. He was, at one time, an honorary attaché to H.M. Embassy at Constantinople. He was a Unionist M.P. from 1910-18, and Governor of Bombay from 1918-23. He was Special Commissioner for H.M.G. to enquire into and report upon the future of British trade in Turkey, Mesopotamia and the Persian Gulf in 1908. He served in the European War in Egypt, Mesopotamia and the Hedjaz, and was M.P. for Eastbourne 1924-5.

No man was ever better equipped both by mentality and training for the occupancy of the

most difficult post in the gift of the British Government. He had studied the East for many years to some purpose, and gained a psychological insight into the minds of its peoples. He had in addition a diplomatic and business training, and was no stranger in the House of Commons. With his advent as High Commissioner, a new light began to shine in Egypt, a star of hope. At long last the mantle of Elijah had fallen on the shoulders of an Elisha. In him the British Government has a very great asset. He has had great experience of the East, and will go down in history as the greatest Governor Bombay has ever had. His handling of the Zaghlul crisis in 1926 was masterly, but the mistake must never be made of not giving him a free hand to carry out the policy of the British Government. He has a keen sense of humour, but politically it often assumes a very practical form, as for instance when he selected H.M.S. *Resolution* to be sent to Egypt at the time of the Zaghlul crisis, but when Port Fuad was opened by the King of Egypt, it was H.M.S. *Concord* which carried the High Commissioner at the opening ceremony. In each case there was something which met the eye and conveyed a distinct message to the Egyptian people.

The Egyptians understand that in dealing with Lloyd they are dealing with a very different man from Allenby. They have watched him carefully, but they have not yet succeeded in taking his measure. He leaves them guessing. In my life I have met two, and only two, other men in addition to Lloyd who have impressed me with their extraordinary energy and vitality coupled with a very high order of intelligence which absolutely radiates and vibrates from them, and they were General Smuts and Mr. Anthony de Rothschild.

## CHAPTER XVI

### THE REVOLUTION OF 1919

IN preceding chapters I have endeavoured to describe the internal situation in Egypt up to the concluding phases of the war. It will now be more readily understood why the principles enumerated by President Wilson and approved by the Allies produced an immediate and decisive effect on Egyptian opinion. The acceptance of the idea of self-determination appeared to give international sanction to sentiments which had long been maturing among the educated classes.

Those in Egypt who had anticipated, and would at one time even have welcomed, a German and Turkish victory, now found a favourable opportunity of shifting their ground. This section now claimed that by contributing morally and materially to the victory of the Allies Egypt had herself been instrumental in throwing off all that was left of the Turkish yoke. At the same time the voice of moderate opinion in Egypt also began to urge that the time had come to assert a claim for self-government consistent with the repeated declarations of British statesmen regarding the provisional character of our intervention. It was genuinely felt that the attitude of the country as a whole during the war, the co-operation of the Sultan and his Ministers, and the conspicuous sacrifices which the Egyptian people had been called upon to make, entitled them to the particular consideration of Great Britain. The idea of definitely regulating the relations

between Great Britain and Egypt had, indeed, already been mooted by Rushdy Pasha, the Prime Minister, at the end of 1917.

This movement received great encouragement from the publication in the beginning of November 1918 of the Anglo-French declaration regarding Syria and Mesopotamia, which announced that Great Britain and France contemplated the complete and definite enfranchisement of the peoples liberated from Turkish oppression and the institution among them of national governments deriving their authority from the initiative and free choice of the people themselves. The High Commissioner (Sir R. Wingate) did not fail to point out that the policy indicated in this declaration would have its repercussion in Egypt. Moreover, the Egyptians had recently witnessed the establishment of an independent kingdom in Arabia, which they had always regarded as far behind their own half-occidentalised country in civilisation and development.

At the very moment when these ideas were being widely discussed, public opinion was greatly stirred by the revelation of a confidential memorandum, which was interpreted as denying to Egypt the privileges of self-government advocated for less advanced communities. A special commission to consider constitutional reform had been nominated at the beginning of 1918, and Sir William Brunyate, the Acting Financial Adviser, was requested by this commission to draw up a note to serve as a basis for their discussions. He was invited, in particular, to examine the principle of giving foreign colonies some share in the legislation of the country, which might render more acceptable to the Powers the surrender of the practical veto exercised by

them under the Capitulations over a considerable field of legislation. Sir William Brunyate's note gave great offence to the Prime Minister, to whom it was presented in the middle of November 1918, and, though intended only as a basis for confidential discussion, its contents became generally known. A storm of protest was aroused by a project which was interpreted as assigning only consultative functions to an Egyptian Legislative Assembly, while bestowing all legislative power on a Senate in which the officially nominated members and a group of elected foreigners would constitute the majority.

Simultaneously with the commission above referred to another commission had been sitting for many months to consider the judicial reforms which would become necessary in the event of the abolition of the Capitulations. Although this commission had issued no report, a general impression prevailed that it contemplated the supersession of the Mixed Tribunals by new Courts in which the English language and British procedure would dominate—a measure which would entail disabilities on the native Bar and paralyse the foreign advocates who had hitherto used the French language. This assumption tended to confirm the hostility of the legal profession to any extended affirmation of British control.

On the 13th November, 1918, Zaghlul Pasha, with two other leaders of the advanced Nationalist group, paid a visit to the High Commissioner to put forward a programme of "complete autonomy." They claimed to be the representatives of the Egyptian people, which at the time was a self-arrogated title and a gross exaggeration. Sir Reginald Wingate informed them that he was not acquainted with the intentions of His Majesty's

Government in regard to the future of Egypt. A few days later Zaghlul asked for permission for himself and his colleagues to leave for England, where they wished to place the Egyptian case before the British people. Their request was refused after reference to His Majesty's Government. Then the Prime Minister, Rushdy Pasha, proposed he should himself, together with Adly Pasha Yeken, the Minister of Education, proceed to London to discuss the affairs of Egypt, a plan which he stated had the full approval of the Sultan. The contentions of these Ministers was that the Peace Congress would give official consecration to the Protectorate, and that therefore its nature could not be left undefined. Under the Turkish suzerainty Egypt had had certain rights, and they desired to know what their rights would be as against Great Britain under the Protectorate.

Wingate reported these proposals to the Foreign Office, and was informed in reply that "no useful purpose would be served by allowing Nationalist leaders to come to London," and that the visit of the two Ministers would not be "opportune" at that moment. The Foreign Secretary explained that as "he and other Ministers would be absent from London in connection with the peace negotiations, they would not be able to devote sufficient time and attention to problems of Egyptian internal reform." In these circumstances the Ministers were invited "to defer their visit." Rushdy Pasha gave the High Commissioner to understand that he regarded the refusal of His Majesty's Government to give him an immediate hearing as involving an interpretation of the Protectorate to which he could not agree, and tendered his resignation. There were no doubt obvious difficulties in the way of

discussing such questions with the Egyptian Ministers at a moment of high political pressure when the Peace Conference was about to open, but it would appear that in spite of the insistence with which the High Commissioner appealed for their reception, the real urgency of dealing with the Egyptian problem at that critical moment had not been realised. Egyptian aspirations, even those of Zaghlul, were much more modest and unassuming then than they subsequently became owing to the mishandling of the Egyptian question by His Majesty's Government and Lord Allenby and his advisers in Egypt.

Every effort was made to induce Rushdy Pasha to withdraw his resignation, and a prospective date for the eventual visit of the Ministers was indicated. But the position of the Nationalists had now become so strong in Egypt that the Ministers were only willing to go if Zaghlul Pasha and his friends were allowed to do the same. As it was not considered expedient to permit this, they adhered to their resignation, and the High Commissioner (Wingate) was instructed to come to England himself to report on the situation. Someone had told Mr. Lloyd George that the East was never in a hurry, and because he liked the phrase, he based his policy on it with regard to Egypt and Turkey, with the disastrous result that both these countries were practically able to dictate their terms to Great Britain. The result of these events was that a number of the Moderate Party joined the advanced Nationalists, while their agents initiated a violent anti-British campaign throughout the country, where owing to the calls to the flag, only a relatively small number of British officials remained, and even these were not in touch with native opinion and



were ignorant of the extreme state of unrest in which the country was plunged.

While the proposed visit of Egyptian Ministers was still under consideration in the beginning of 1919, a document was addressed to the foreign representatives and residents in Egypt announcing the constitution of a "Delegation" of twelve members, under the chairmanship of Zaghlul Pasha, which proposed to lay the legitimate aspirations of Egypt before other countries. The majority of the Delegation were identical with those included in a Nationalist committee of fourteen formed at the end of the preceding year. On the 3rd March the Delegation presented to the Sultan a petition which was generally interpreted as an attempt to intimidate His Highness and deter him from appointing a new Government. This proceeding was felt to be a challenge which could not be declined, and Sir Milne Cheetham, acting for the High Commissioner, decided, with the approval of the British Government, to deport Zaghlul and three of his most prominent adherents to Malta. For a day or two nothing happened, and the authorities were beginning to congratulate themselves that they had nipped the agitation in the bud. Their optimism was premature, it was only the dead calm which preceded the storm. Without warning the storm burst, and Egypt, from Alexandria to Asuan, was in the throes of open revolution. The students in Cairo started the ball rolling with anti-British demonstrations which quickly necessitated military intervention. Similar outbreaks were soon reported from the provinces. On the 12th March disturbances broke out at Tanta, the seat of a large Mohammedan theological college and always noted for the turbulence of its inhabitants. They were quelled

by the military, not, however, without bloodshed. By the 14th and 15th March the trouble had spread to most of the Delta provinces, where attempts to interrupt communications had become general. Looting, pillaging, attacks on British troops and murders of British soldiers and civilians were reported from many quarters. On the 16th the railway and telegraphic communication between Cairo and the Delta, as well as with Upper Egypt, was broken. The native notables, who had probably come to Cairo to assist in the movement, wished to return to their homes, and flocked to the Cairo railway station to ask how they were to get there. They were told by the British railway officials that they could walk, for it was evident that they did not like railways, as they had destroyed them. It is worthy of note that the railway communications were cut at the most strategic points, but it was most unlikely that any Egyptian possessed sufficient knowledge of military strategy to enable him to know what was vital and what was not.

By the 18th the provinces of Behera, Gharbia, Menoufia and Dakhalia were in a state of open revolt. Upper Egypt and the foreigners living there were completely cut off. They were besieged at Assiut, Beni-Suef and Minia, where their situation for some days was most critical and they were lucky to escape massacre. At Deirut two British officers and five other ranks and an English Inspector of Government Prisons were murdered in cold blood in the Assiut-Minia train under circumstances of revolting savagery. The people in their fanaticism drank the blood of their victims and cut pieces of flesh from their bodies as trophies and souvenirs. It is to be noted that on this train there were fifty Egyptian soldiers returning from leave, but though

it was not proved that they took any part in the massacre, they made no attempt to intervene and protect the unarmed British from the fury of the mob. It is impossible to acquit Zaghlul and his advanced Nationalists of complicity in all these murders of Englishmen. When they started their campaign in the big towns and the country districts, they well knew the material with which they were dealing. They were cognisant of the turbulent nature of the people, once the hand of authority was removed. They were fully alive to the fact that their murderous and destructive instincts could be easily aroused and that subversive teaching could only result in murder and rapine. Their dupes paid in many cases the extreme penalty of the law, while they themselves carefully abstained from taking an overt part in actual murder and destruction of property. Yet they should have been held responsible for the effects of which they were the cause. Their organisation must have been very complete and effective, otherwise the spontaneous outburst of revolution which swept through the country and extended from Alexandria to Asuan would have been an impossibility. No one can be blind to the important rôle played by intriguers behind the scenes. No doubt the revolutionary ardour of the educated was in many cases only intellectual itching and the result of idleness, yet revolution everywhere brings forth fanatical idealists, who act on the deficient and unreliable social instincts of the uncultured masses. It produces the embittered and the unbalanced.

The Egyptians took a leaf out of the book of those countries where temperament prevails over civilisation. Most of the leaders were unscrupulous political adventurers, with not a single practical

and honest political idea, and all their efforts were directed towards goading and exploiting the mob. Their work was purely destructive and negative. The younger element, especially the students, was crazed by propaganda and misrepresentation, and soon got out of hand. The schools were the hot-bed of revolution, and the Egyptian schoolmaster egged on the youth of the country committed to his charge for the purpose of education.

All night long the streets of Cairo swarmed with yelling men, whose cries were punctuated by rifle shots. The Egyptians had gone mad. During the day it was not much better, but it was generally possible to keep out of the way of the rioters. Cairo was not a pleasant place in those days, but no one could say that it was not exciting. In addition to other inconveniences, there was a shortage of certain articles of food, and it was impossible to get meat. I was living at Gezira at the time and where one was safe. The bridges were barricaded and guarded, and mounted patrols went round the island at frequent intervals. My native servants behaved very well, but how they reached their homes I never enquired, and they asked for no passes. Yet they had to cross the barricaded bridges at night and return before daylight in the morning.

By March 26th, however, the situation, from a purely military point of view, had become stabilised. The main railway and telegraph communications had been re-established and the necessary dispositions of troops had been made for their adequate protection. Mobile columns had been moved in various directions to control the more violent areas, to arrest and bring to justice those responsible for the excesses, that is, all the little people, and to

re-establish civil control. The outlying centres of disturbance in the south had been relieved, and the first and most dangerous phase of the disorders was over. It was a most fortunate thing that there were enough troops still in the country, and still more so that they were commanded by General Sir Edward Bulfin, who very quickly had a firm grasp of the situation and acted with energy and decision.

Thus, within a week of the deportation of Zaghlul and his associates a movement anti-British and even anti-European had assumed grave proportions. It was a national movement backed by the sympathy of all classes and creeds among the Egyptian population, including the Copts, and on the part of its more fanatical adherents it took the form of the systematic destruction of property and communications, with an increasing disregard for human life. Responsible though the Delegation undoubtedly was for the organisation of the original demonstrations out of which the movement grew, its more responsible and timid members soon became alarmed at the development of a situation in which they were implicated and which might be fruitful of unpleasant consequences to themselves. When they found that it had passed out of their control and fallen into the hands of irresponsible extremists, supported by a certain number of undesirable foreign elements, they played for safety, issued a manifesto condemning acts of violence, and were full of protestations of a desire to assist the authorities in maintaining order.

Lord Allenby had left to join the Peace Conference at Paris on the 12th March. He was, however, back again in Cairo by the 25th, having been in the meantime appointed Special High

Commissioner during the absence of Sir R. Wingate, the High Commissioner, in England. His instructions were to restore "law and order," and to "administer in all matters as may be required by the necessity of maintaining the King's Protectorate on a secure and equitable basis." The military measures which had been taken had rendered the situation outwardly calm. But there was little diminution of anti-British sentiment, which was now chiefly manifested against the military element, whose behaviour during the repression was speciously represented. Lawyers and students continued to strike, and many officials continued to absent themselves from their duties. In the opinion of many competent observers at the time, it was thought that if Lord Allenby had postponed his arrival and General Bulfin had had another fortnight, the situation in Egypt would have materially changed for the better, and the historian would have had to record events which were more consonant with British dignity and prestige.

The conciliatory disposition adopted by the Special High Commissioner in addressing a group of notables who visited him by invitation did not prevent the outbreak on the 2nd April of a general strike, which had, however, practically subsided by the 6th. Meanwhile, in pursuance of his policy of conciliation, Allenby, with the approval of His Majesty's Government, completely removed the embargo on the departure of Egyptians desiring to travel, a measure which carried with it the release from Malta of Zaghlul Pasha and his three associates. Thus within a month of their deportation, the policy then adopted was reversed, and the leaders of the movement became free either to return to Egypt or to proceed elsewhere to renew their

campaign of agitation. In Egypt it was called by the foreigners the *beau geste* of Allenby. By his own countrymen, who knew something of Egypt and the Egyptians, it was called "Allenby's folly." It was characteristic of the man. He deluged the country with futile proclamations, only to climb down almost immediately from the attitude he had taken up. There was only one of his proclamations which was a success, and that was a clear and explicit statement that the salaries of Egyptian teachers would be docked if there were any more strikes in the schools. It must have been inspired by someone who knew the psychology of the Egyptian, as it was such a contrast to those which were inspired by people who did not.

On the day of Zaghlul's release from Malta, I got into the tram at the corner of the Continental Hotel to go to Gezira. There was one British officer in it, and no other European. He had his revolver in a holster, mine was in my pocket. Bulak Street was lined on both sides up to the tram lines by a clapping, howling mob. I looked at the people for a moment and then decided that it was quite safe to go on. I have never seen such expressions of fierce joy on the faces of any human beings. They were delirious with rapture, and had jumped to the conclusion that Zaghlul's release was due to European intervention and that his demands for independence had been accorded. What they expected to get out of Zaghlul I have never been able to realise, and I expect he still keeps them guessing.

It was obvious to those who knew Egypt that Egyptian Ministers, and even Zaghlul, should have been encouraged to come to London when they proposed to do so. Sir Reginald Wingate's opinion on the subject was fully justified by the sequel.

After this initial mistake events moved more rapidly in Egypt than the Administration appears to have realised. The consequences of deporting the Nationalist leaders were not rightly estimated, and the revoking of that measure, after serious disturbances had taken place, necessarily gave the impression that British policy was wavering and liable to quick changes under the pressure of agitation. In the next stage, punitive measures for the murder of British officers and other outrages committed during the rebellion became a necessity, and though carried out, on the whole, with moderation, they inevitably prolonged the period of exasperation. The Administration endeavoured to conciliate Egyptian sentiment by transferring a large number of the trials, after the most urgent cases had been dealt with by martial law, to the ordinary tribunals, but by this time the Nationalist opinion, as the result of Lord Allenby's conciliatory measures, had hardened, and the almost inevitable result was that evidence ceased to be forthcoming and that the accused were acquitted.

In the meantime Zaghlul Pasha and his colleagues had, on their release from Malta on the 11th April, proceeded to Paris, in the hope of obtaining a hearing for Egypt's claim to independence from the Peace Conference. On failing to achieve this object they devoted all their energies to obtaining foreign support for their cause, and an emissary was despatched to America to canvass opinion in the United States. The only outcome of this latter step appeared to be an action recently brought by the widow of an American lawyer against Zaghlul to recover the sum which had been stipulated for his services. Zaghlul never respected any engagement, nor felt bound by any agreement. At the same time



his adherents worked with the greatest industry to complete their organisation, levying large sums of money and extending their propaganda to all parts of the country. Their activities in this latter sphere were largely concentrated upon the exploitation of existing conditions of industrial unrest, resulting in a succession of more or less serious industrial strikes.

The Nationalists misunderstood Allenby's clemency, they took his tolerance for weakness and jumped to the conclusion that he had no strong support in London. The attitude of the native officials in consequence became more bumptious and arrogant, and they refused to return to work until Rushdy Pasha, who had resumed the Premiership, agreed to the following conditions: (1) Zaghlul Pasha and his Committee to be declared by the Egyptian Government to represent the Egyptian nation; (2) the creation of the present Cabinet not to be taken as implying acceptance of the British Protectorate; (3) the removal of British guards and patrols in Cairo and entrusting of public security to the Egyptian army and police.

The recalcitrant officials adopted a dictatorial, disrespectful, exalted tone in discussions with Ministers, and arrogant addresses frequently deteriorated into gratuitous insults. Young Egyptian civil servants, who had spent a year or so in Paris, Marseilles and Vienna, became extremely inflated. In the meantime, owing to strikes and the dislocation of traffic, a general feeling of uncertainty, detrimentally affecting the prices of foodstuffs and clothing and interfering with supply and inconveniencing trade, added to the unrest. The *fellah* is no economist, and cares nothing for the fact that everyone else is paying more. He regards high prices, when he has to pay them, as unjust, and his smouldering dis-

satisfaction makes him an easy prey to a skilful agitator. During the war prices in Egypt were fairly moderate, it was only after the war was over they began to soar. In addition a small clique of lawyers and students established a reign of terror among the officials and private employers and took the name of the "Black Hand." They intimidated, and exacted obedience and money from all classes of the population.

On the 21st April Rushdy Pasha resigned. Owing to the attitude of the officials, he could no longer both maintain his dignity and retain his office. Allenby's proclamation ordering them to resume work or to be dismissed caused a split in their camp, accentuated by President Wilson's recognition of Egypt as a British Protectorate. The extremists had depended on support from America, and Wilson's recognition of the Protectorate was a great blow. Mohamad Pasha Mahmood was at the head of a Committee watching the interests of the Zaghlul Committee and another Committee was formed ostensibly for the unification of Egyptian demands, but really to enable unrest to continue while relieving the Zaghlul party of the odium so as not to handicap his mission at the Peace Conference.

Following Rushdy Pasha's resignation there was no Cabinet, and at the beginning of May the Under-Secretaries of each Ministry were given authority to exercise all the powers and functions of Ministers, and to safeguard communications. Sir George Macauley was appointed Adviser to that Ministry. The material damage to the State Railways was estimated at over £E250,000, which the people who had caused the damage had to pay.

On the 15th May Egypt was the subject of important debates in the Houses of Lords and

Commons in which both Lord Curzon and the Under-Secretary for Foreign Affairs stated that—

“ those leaders in Egypt who had precipitated this unhappy crisis had taken on themselves an immense responsibility. They knew better than those they had miserably misled how inexhaustible were the resources of British Imperial statesmanship ; how certain it was that in the long run an honest and constitutional demand would lead to wider opportunities and greater freedom. They knew that there was no possibility of oppression under the British Flag. They might have had some regard at least for the generous benefits that British rule had conferred on the mass of their countrymen. They had chosen the other course. They had seen by what calamitous results it had been followed. The Government would not prove indifferent, as they had not proved indifferent in the past to the claims of the Egyptian people to a due and increasing share in the management of the affairs of Egypt.”

These speeches made no impression on the Egyptians, who were fully alive to the fact that though democracy can govern a State, it can never rule an Empire, and cannot take a hand in the direct administration of far-off lands. They thought that British Imperialism was dead, and that they had only to await the coming of the Labour Party into power, who would satisfy their most exorbitant demands. In this belief they had been encouraged by statements made by individual members of that party. They failed to realise that the maintenance of the British Empire is as dear to the hearts of the Labour Party as it is to the most imperially minded subject of the King of England, and that democratic government is reserved for home consumption and does not concern itself with Imperial interests.

On the 25th May Mohamad Pasha Saïd was charged with the formation of a new Ministry. To render it more acceptable to the Egyptian people, it was called a business Ministry. This did not prevent them on the 5th September from throwing a bomb at Mohamad Saïd to demonstrate that under the present revolutionary conditions the post of Prime Minister is no sinecure. In June many of the Nationalist delegates returned from Paris owing to disagreements with Zaghlul, most of which were of a personal nature and connected with the disposal of the party funds, on which they had been having the time of their lives. When Zaghlul managed to secure possession of these funds, he became too autocratic for many of his fellow delegates, and refused disbursements for the gratification of personal extravagance and dissipation. This led to open rupture, but he soon filled up his ranks with extremists, who, as regards personal expenditure, were of a more economical turn of mind and more subservient to his will. By this time it had been announced that the British Government intended to send a special mission to Egypt, but the Egyptians having made up their minds that its object would be the extinction of Egyptian Nationality, the agitators concentrated their attention on limiting the sphere of its activities by an organised boycott. With the advent of the hot weather that lethargic state of mind, which the summer always brings, fell upon Egyptian politicians, and a comparative state of calm prevailed until the cooler weather of the early autumn produced a recrudescence of political activity.

## CHAPTER XVII

### PROMINENT EGYPTIAN OFFICIALS

THE course of events in Egypt after the declaration of peace will be more clearly understood, I think, if I give here sketches of some of the Egyptians who have played prominent parts in the recent political history of their country. Zaghlul is the most outstanding figure among them, and I write first of him.

Saad Zaghlul Pasha was born about seventy-five years ago in that part of the Delta which was overrun by Napoleon's army in 1798. He was of humble parentage, and tradition has it that his father was a player of the *zumar*, a kind of lute. In any case, he went to the *Azhar* as a *megawir*, or free student, who was provided with loaves from the funds of the institution. He remained there for many years, acquiring a profound knowledge of Arabic and considerable skill in dialectics and metaphysics. It is probable that somewhere he had a strain of European blood, otherwise it is difficult to account for that fixity of purpose, so foreign to the Egyptian *fellah*, which was the keynote of his character. When he left the *Azhar* as the Sheikh Saad-allah, he found a small post under Government at about £E3 a month. This he occupied until he saw that the native Courts offered a wider scope for advancement.

At the time Zaghlul became a member of the Bar it was not essential that an advocate should have a diploma, that indeed was a rarity even among the

Judges. His eloquence soon brought him into notice as a pleader, and his success was both rapid and profitable. Out of his fees he bought two good estates, and his reputation and fortune brought him friends far above him in station. Kasem and Rushdy taught him respectively French and Law, and Kasem introduced him to the salon presided over by the Princess Nazly, who at that time alone amongst Egyptian ladies ventured to open her house to a small circle of male visitors. It was Princess Nazly who arranged his marriage with one of the daughters of Mustafa Fehmy. The members of the native Bar at that time were considered socially impossible, and in order to find a way out of the difficulty Zaghlul was, through his future father-in-law's influence, made a Judge in the Court of Appeal.

Zaghlul was always an agitator. He took part as a speaker, not as a fighter, in the Arabi rebellion of 1882, and, probably if Riaz Pasha had had his way, his political activities would then have been terminated for all time. While he was a Judge in the Court of Appeal he occupied himself with politics and was warned by Sir John Scott, the Judicial Adviser, that it would be prudent to cease his political activities. It is probable that after this warning he made himself less conspicuously political, but he continued to write anonymously for the native Press and otherwise continued his activities though not in such an obtrusive manner as in the past. When Kasem evolved the idea of a university for Egypt, nine months after I had proposed the idea to Lord Cromer, Zaghlul saw in it a means of further advancement and fathered the idea. Cromer bent before the storm, and made Zaghlul the first Minister of Education. His knowledge of education was

confined to what he had learnt at the *Azhar*, and he had little or no comparative knowledge. When it was proposed to him that Egypt should be represented at the Darwin Centenary, he said : " Who is this Darwin, is he a doctor ? "

Cromer was not a good judge of character, and never was this failing more signally instanced than in his elevation of Zaghlul to ministerial rank. The creation of the university was used by Zaghlul as part of the Nationalist movement, and when it had served its purpose as far as he was concerned, he took no further interest in its progress.

After the murder of the Prime Minister, Butros Pasha Ghali, and the appointment of Mohamad Saïd as his successor, Zaghlul exchanged his portfolio and became Minister of Justice, but he came in direct collision with the Khedive and was compelled to resign. He was then, perhaps, more anti-Khedive than anti-British. It was part of his turbulent nature to be always anti- something or somebody. The first session of the new Legislative Council, elected under the Organic Statute of 1913, of which he was the elected Vice-President, brought him once more to the front. The preliminary discussion of the Standing Orders engrossed most of its time and attention, and served as a pretext for interminable and angry debates which betrayed the bitter antagonism between the Prime Minister and himself. He carried the Assembly with him, but he showed then, as he has always shown, that with all his forensic ability he lacked the qualities of judgment and discrimination that are required of a statesman. He succeeded in discrediting Mohamad Saïd, yet in the eyes of all thinking people he acquired no credit for himself ; but the Egyptians have not yet attained the art of clear thinking, and in

their eyes he had not done himself any harm. He remained outwardly quiescent during the reign of the Sultan Hussein, who well knew that the one and only way to keep an Egyptian in order was to inspire him with fear. That fear may be either moral or physical or a combination of both, but it must be felt.

The Egyptian always bows down to the rising sun, and turns his back on the setting. His sun for the time being was Zaghlul, a born orator, endowed with the gifts which swayed the ignorant masses. He was able to pander to their ignorant prejudices and make them the slaves of his will. No one can deny that he had personality, but he was profoundly ignorant of all things that go to make a statesman, and his outstanding characteristic was vanity. His friends he used ; there are few indifferents—it is not safe. His enemies he crushed under his heel as opportunity offered. When in power it was not liberty that he sought, but licence to enslave and oppress all those who did not bow the knee. His Government was a nepotic despotism. He had an air of false geniality. In Egypt at one time he was to the masses of the people the man of the hour. It may be that he was sometimes carried away by excitement into making statements which in calmer moments he would like to have qualified, but his extremist followers took very good care that they stood. He was certainly a better man than his entourage, of whom he became afraid. To keep his position assured he had to run after his followers nearly as much as they ran after him. He had a keen sense of divining weakness in his political opponents, and perhaps a keener sense of recognising their strength on the rare occasions when he was confronted with it. His work, like that of all ex-



tremists, was always destructive and never constructive. He was an autocrat at the head of a miserable, despotic oligarchy. But the whole country depended on him, and Parliament was really a cipher and he could without exaggeration say "I am Egypt." I have heard him described by one of his former Egyptian colleagues as "a peasant with the mud scraped off." When he assumed office and power he released persons who had been sentenced to long terms of imprisonment for the murder of Englishmen, and put them in the places of men who had been friendly to England in difficult times.

The murder of Sir Lee Stack was the sequel and culminating point in a long agitation fomented by Zaghlul and by those intimately associated with him. The consequences of that agitation were predicted. When he was last in London Mr. Ramsay MacDonald told him very plainly that if he continued his inflammatory speeches he would be held responsible for any consequences which might ensue. He did continue, and the Sirdar was murdered.

Zaghlul was in the Court of Appeal at the time of my appointment, but as I never sat with him I had no opportunity of forming an estimate of him in his judicial capacity. It would appear that he was gifted with a remarkable memory. On one occasion in a big criminal appeal case, which it was rather important should be disposed of the following day, he offered to take the dossier home with him and have it ready for hearing in the morning. He sat up all night, and when he was tired of reading he was read to. When the case was called, without a note or an aid to memory of any kind he gave a complete and exhaustive review of the case. So complete was it, that there was nothing for the

Public Prosecutor, nor for the advocates for the defence, to say.

Adly Pasha Yeken, K.C.M.G., the present Prime Minister, is altogether a different type from Zaghlul. He is a distant connection by marriage of the reigning family, but I believe the connection dates back to Mohamad Ali. The word *yeken* means brother-in-law. He is a silent, reserved, taciturn man, and gives one the idea that he is very secretive. He has occupied important posts in the Government service, but salary can never have been of any importance to him, as he is very rich. He is very much respected. He is of Turkish-Albanian extraction, and by race he is not in any way connected with Egypt. I imagine that he took up politics as a pastime, just in the same way that he accepted Government employ. Certainly he never did so with the object of personal advantage.

When Mustafa Kamel was at the height of his political career, Adly went to Europe and remained there for two years, probably to avoid being mixed up with that particular phase of Egyptian politics. He is not and never was a hard worker. He thinks that work is a thing to be done by underlings which he will approve should he think fit. He is not eloquent. He would probably be classed as a moderate, with a preference for "Egypt for the Egyptians." He has not the gifts which would ever influence the illiterate and ignorant mass and carry them with him in any sane policy which he might approve. I doubt whether he would ever take the trouble to stand for an idea, he seems to be in politics but not of them. He is a figure-head, rather, put up on account of his great respectability by politicians of a more active turn of mind. Like Mohamad Ali, possibly he privately thinks that if a

man's head is of no use to him it is better off. Though he may be the head of a small party of the more reasonable of Egyptian politicians, yet he cannot be said to lead, nor again is he led. His is a complex nature, born to be leader, yet leadership is irksome to him.

Ahmed Pasha Ziwer, G.C.M.G., is a Caucasian by race, and is so very fat that his walk has to be a little quick run. On one occasion an American lady, who was sitting next to one of the foreign diplomatic Ministers at a dinner whose pronunciation of English was not his strong point, asked the Minister why the Heliopolis Palace Hotel was closed. The Minister answered, "Ze war, he close it." "Ah," said the lady, "the fat Pasha closed it."

Ziwer is a kindly, genial man, very hospitable and most amusing. He is all things to all men, but not always behind their backs, when sometimes he is very outspoken; then he probably expresses his real opinions. He was at one time Advocate-General of the Native Courts, and then a Judge in the Court of Appeal, where he had a reputation for laziness. I remember on Kasem's death it was alleged against him that he did not read his cases, and for that reason it was not proposed to make him President of the Chamber. I had to intervene and support him very strongly in order to remove the stigma. He is very intelligent, and grasps a problem with extraordinary quickness. He has a very conciliatory and sympathetic manner, and it is probably on that account that no attempt has been made to assassinate him. As a politician he has no following; indeed, it would be an exaggeration to say that he is a politician at all. In spite of his adaptable character, he had got on the wrong

side of three sovereigns of Egypt. He became Prime Minister when the King dissolved Parliament to frustrate Zaghlul's activities, and there was a parliamentary interregnum. No one was particularly anxious to become Prime Minister and this was Ziwer's chance. He accepted the task of forming a Cabinet, which showed that he had considerable physical and moral courage. The prospect was not promising, but Ziwer soon showed that he had considerable diplomatic ability and was able to conciliate the views of the Palace and the Residency. He steered Egypt through a very difficult period, and earned the thanks of the British Government and a G.C.M.G.

Ismail Pasha Sidky is cut out by nature for an Egyptian political career. I have known him since he joined the Public Prosecutor's Department as a very young man. He shortly afterwards became a candidate for the post of Legal Secretary to the Municipality of Alexandria. Wissa Wassef, one of the Vice-Presidents of the present Parliament, was also a candidate, and came out first in the examination, but he was a Copt, and the influence of Mohamad Saïd, who was then Public Prosecutor at Alexandria and a member of the Municipality in virtue of his office, carried sufficient weight to secure the post for Sidky. He remained there for many years, and it was greatly due to his training amongst Europeans, added to his own ability, that he gained an insight into finance in which he has not an equal amongst Egyptians.

His friend Mohamad Saïd made him Under-Secretary for the Interior, for which Sidky rewarded him by intriguing against him. He ultimately became a Minister himself as a result of his intrigues, but had to resign his seat in the Cabinet in con-

sequence of a deplorable domestic scandal in which he was implicated. It was on this occasion that the Sultan Hussein is reported to have said that he would have no more Ministers under fifty years of age. At the end of the war Sidky joined Zaghlul, and with him and others was deported to Malta. On their release they went to Paris, and there he quarrelled with Zaghlul and seceded from the party. He joined Ziwer's Ministry for a time as Minister of the Interior, and resigned when there was a split in the Cabinet. This time he was loyal to his colleagues.

Sidky, in spite of all his ability, has not the qualities which go to make a statesman. Outside finance he does not take long views, and even in regard to finance he was shortsighted enough to urge both in the Press and elsewhere the repudiation of the Tribute Loans. He is quite capable of holding more than his own in debate, but his mental horizon will not allow him to see the limitations of Egypt as an independent country. As an administrator he is very energetic and makes a point of looking into things himself before giving an opinion. He would do well to consider that guile cannot be mistaken for statesmanship.

Mohamad Pasha Mahmood is the son of Mahmood Pasha Sulieman, a large landowner in Upper Egypt who was a friend and supporter of Lord Cromer. It was at the instance of Lord Cromer that Mohamad Mahmood was sent to Oxford, where he became a member of Balliol. He had a distinguished university career and was socially made much of in England. When he returned to Egypt he used to call England home. He was quickly, too quickly, rushed up the administrative ladder, and soon became a provincial governor. His social

success amongst the English in Egypt did not compare with his attainments in England. There is no doubt that he was quite unnecessarily slighted, and that embittered him against the British and made him an ardent Nationalist. It is, of course, probable that in any case his ambition would have caused him to revert to type as is the case with most Orientals who have received a Western education. When an Egyptian's pride is touched and his self-respect lowered it may be quite confidently predicted that he will become hostile. After the termination of the war he joined forces with Zaghlul and became a member of the Party of Independence. He was in consequence of his activities one of the four who were deported to Malta in March 1919. Ultimately he seceded from Zaghlul and became a member of the Liberal Constitutional Party. He is Minister of Communications in the present Parliament of 1927. He is not a good public speaker, and his ambition probably exceeds his ability. That ambition is to become Prime Minister of Egypt at no distant date.

There is very little in the life of an Egyptian to interest or stimulate his intellectual faculties. Politics have filled that want. It is not so much, probably, that he believes many of the things which he postulates as the necessity of finding something exciting upon which to exercise his mental faculties in a way that appeals to him. He loves to foregather with three or four others and discuss political schemes and evasions until he has decided upon his line of action. It is far from necessary that this should be practical or likely to be of any real benefit to his country, but he certainly most wholeheartedly gives his time to what, to him, is a most engrossing occupation. At the back of his mind

there is always the question, Where shall I come in ? He is quick to avail himself of any weakness in his opponent and adept at making out a plausible case. The ranks of the politicians are filled from the official classes and members of the Bar and young gentlemen who have not found posts under Government for which their thoroughly unpractical education alone fits them. As with the rank and file so it is with the hierarchy : they are out for place and power, with opportunities of placing their relatives and friends and acquiring anything that may be had.

Mohamad Ali educated enough Egyptians for the needs of his Government and no more. We have educated enough to form a small army of revolutionaries. The students and schoolboys were the most zealous of Zaghlul's followers. Not only have they played the part of active propagandists and pickets, but wherever disorder was rampant they were in the midst of it. They organised strikes in their schools, defied their masters, and even at times scared their own fathers into agreement with their subversive ideas. They found politics more absorbing than school-books, but they howled when, in consequence, they were unable to pass their examinations. They cast aside as worthless that mental and moral discipline which in course of time could have enabled them to assist in governing their country with any prospect of success. Zaghlul did a great disservice to Egypt in invoking their aid. They repeated *ad nauseam* the catchwords " Complete Independence," " Down with Milner," and " Sudan." Even schoolgirls, four years of age, did their part. Never was the saying that the power of sound is greater than the power of sense more vividly illustrated. Even the theological students

of the Azhar University have always been ready to join in any turbulent movement. They number some 14,000, and come from every village and hamlet in the country, and are ready tools for propaganda. Their services were made full use of.

In the Parliament of 1926-27 there was no outstanding personality. It was dominated by Zaghlul, and if perchance any member wished to express ideas consonant with reason and common sense, he was shouted down by Zaghlul's adherents. In consequence the reasonable members, if there were any, never even attempted to make the experiment. The Oriental has for centuries been accustomed to autocracy, and it is not the institution of a Parliamentary régime that will make him divest himself of the habit of age-old tradition. You cannot graft Western institutions on to an Eastern stock and expect them to flourish. You may have political parties in Egypt, but government *by* the people is an utter impossibility. This every Western nation must recognise, and Great Britain must have no illusions on the point. Government *for* the people is a possibility, and under the rule of Lord Cromer, where all the power was concentrated in the hands of a wise, just and tolerant ruler, it was a striking success.

The Parliamentary system has introduced bribery of a kind hitherto almost unknown. One day I happened to be in a Minister's room when the telephone bell rang. What was said at the other end of the line I do not know, but the Minister's reply was : " Tell him to be satisfied with a thousand a year now and I will see what I can do later." The bell rang again and the Minister said : " Tell him that if there is not a Legation vacant, I will create one." It is not much to be wondered at



that the Civil Service Estimates have gone up by leaps and bounds since the cessation of British control.

The Liberal Constitutionalists, Zaghlulists, and other parties of less power and influence have all the same aims—the exodus of the British from Egypt and the handing over of the Sudan. They are all bound to that policy and the extremists will see that they stick to it. Parliament is used for that purpose and that purpose only. The rest is frothy talk. The time has not yet come and probably may never come when the parliamentary system will be an ideal form of government for an Oriental people. In Egypt it has been no check on autocracy, and has given no freedom to individual thought and opinion. On the contrary its effect has been to crush and stifle that liberty which it was instituted to create. Zaghlul is Parliament and Parliament is Zaghlul.

## CHAPTER XVIII

### THE PSYCHOLOGY OF THE EGYPTIAN

ONE does not penetrate into the East until one understands its psychology, and in order to appreciate the present position in Egypt it is necessary to understand the psychology of the Egyptian. Egypt from the dawn of history has always been under the domination of foreign races. She has always been held by force, and as soon as the conquerors became merged in the population they in their turn were ousted by other foreigners. The centuries have passed over the tiller of the soil and have left him as they found him thousands of years ago. He still lives in the same kind of house; his cattle and his crops are everything to him. His manner of life has not changed, and if you have seen one village in Egypt you have seen them all. He is ignorant, vain and obstinate: a mixture of childishness and astuteness, of simplicity and cunning, concealing levity of mind under solemnity of aspect. Stolid, instinctive conservatism is in the very marrow of his bones. He is a creature of routine and very suspicious. At the same time he is truculent and ever ready to revolt against his ruler. His ignorance makes him glorify the most stupid superstition, while acts of revolting savagery he condones, and he has a furious hatred, when worked up, of every creed beyond the pale of Islam. He is excitable, like all races of sub-tropical climates, and out of his routine he cannot do anything with patience, fairness or moderation. He is usually devoid of

gratitude to man ; he reserves that for God. He is good humoured, loves a joke, and often a disturbance may be prevented by appealing to his sense of humour. He builds, but never repairs. He is a consistent liar, and very crooked in his dealings. In family life, he is fond of his children, but a despot in his house. He has a deep-rooted attachment to the village where he was born, which he never leaves unless compelled. His sympathies have always been with tyrants who ruled him with determination, and never with easy-going masters. He requires constant stimulus to rouse him to any prolonged effort, and when appealed to at his mosque he is always ready to believe any tale which appeals to his credulity. This is the mentality on which the political agitator in Egypt plays, and it is the mentality of over 90 per cent. of the population.

Where public opinion is concerned the Egyptian is fickle, but he is always inclined to back disorder. His friendship is not to be obtained by a caress, it is rather to be had by a blow and a pat on the back, leaving him with the conviction that if that does not suffice, the blow will be repeated. The mass of the people know nothing of their history in the past, and they have no common interest in the present and in no class will you find any historical sense. They have not the mentality to form a judgment of existing facts and they have no aspirations for the future, but the passions of the masses are easily inflamed against all foreigners.

The mind of the Egyptian is eminently wanting in symmetry and in the logical faculty. He is often incapable of drawing the most obvious conclusions from the most simple premises. If you try to elicit a plain statement of facts from an ordinary Egyptian, his explanation will be lengthy and involved. He

will probably contradict himself half a dozen times before he has finished his story, unless he has learnt it by heart in order to give evidence before the Courts, but even then he breaks down under the most mild cross-examination.

In political matters, as well as in the affairs of everyday life, the Egyptian will accept as true the most absurd rumours, and Egypt is pre-eminently a country where rumour flourishes. He will indeed do more than this; he will often accept such rumours in the inverse ratio of their probability, for true to his natural inconsistency and want of rational discrimination, he will occasionally develop a flash of astounding scepticism when he is asked to believe the truth. He has the self-respect of the Oriental and a hatred of ridicule, but he forgets that it takes centuries of combined effort to build up national character. As with the savages he does nothing without hope of gain here or hereafter. He takes no thought for the morrow, that perhaps being a heritage from the times when he was certain to be despoiled of his wealth, and centuries of government which afforded no security for the rights of property.

He is charitable to his neighbours, but whether this charity proceeds from kindness of heart or is inspired by the dictates of his religion which impel him to lay up riches in the world to come is problematical. He is an inveterate lover of intrigue, which is the defence of the weak against the strong, and of which he is a past master. His organising powers are feeble, his fatalism accepts the inevitable and he is submissive to all constituted authority. He can never hit the happy mean. With number or quantity he goes hopelessly astray, seldom knows his age and has no idea of time or distance. Once

a prying British official went up to the Citadel and enquired of the man who fired the gun at midday, how he knew when it was noon. The man pulled his watch out of his pocket and said by that. "Well," said the official, "how do you know that your watch is right?" "Oh," replied the man, "I have a friend called Youssef in the Mousky who has a chronometer, and I regulate my watch by it." A few days afterwards the official was in the Mousky, and on passing Youssef's shop he thought he would go in and enquire about the chronometer. He asked Youssef how he adjusted it, and Youssef replied by the Citadel gun.

Accuracy is abhorrent to the Egyptian mind, and it is that want of accuracy which causes him to degenerate into untruthfulness. He has no continuity of purpose, and the first thing an Egyptian official does in office is to upset his predecessor's work. At the bottom of his heart he prefers English to Egyptian masters.

The Egyptian will always flatter and fawn upon anyone in whose power he may be placed, however much he may have cause to hate him, and of late years he has thought that the way to become a national hero was to shoot an Englishman in the back. He is harsh and tyrannical to his inferiors and servile and cringing to his superiors, and the educated classes look upon the peasants as little better than beasts of burden. They are superficially very reasonable and outwardly very polite, but their civilisation is nothing more than a veneer. The Egyptian has not the self-reliance and hardy courage necessary to enable him to secede openly from the herd, to examine with irreverent eyes the amorphous mass of opinion that has been handed down from earlier generations—to scrutinise all accepted values, coldly

and with scientific precision to test their cogency. He forgets that the greatness of a nation is measured by the position occupied by its women, which in Egypt is still very low. The Egyptians have sharp slaves' wits and glib slaves' tongues, and the semi-educated among them have learned a mass of writing and chatter which they have put to a bad use.

The Copts, who comprise less than one-tenth of the population, have many of the characteristics of the Moslem. Persecution has perhaps made them more wily, and they always manage to have a foot in every political camp, so that whichever side triumphs, they may have friends at Court. There is really a deadly hatred between Copt and Moslem, similar to that between Hindu and Moslem in India, but in Egypt the Copt has to lie low, as in numbers he is very much in the minority. He is perhaps even more bigoted than the Moslem.

The error into which Macaulay fell when he thought to educate Indians on British lines was fallen into in Egypt. It was hoped that by education the people would acquire British minds and a British outlook, and that a race comparable to Victorian Liberals would be produced.

Education has only taught them to defy us. Yet they are influenced and affected by the educated minority, whose influence is all the greater because reading is not widespread. There is a most influential class of lawyers in every little town and village, and the people go to them in the evenings and discuss public affairs. The influence exists not only in Cairo and Alexandria, but throughout the country at large.

History repeats itself in the psychology of a people. When Ptolemy the First, one of Alexander's generals,

mounted the throne, he applied himself with some dexterity and caution to the government of Egypt. Had the Greeks been the first conquerors of the country it is doubtful whether the wisest policy would have kept the natives quiet and content, for they were like the Jews, a proud, ignorant, narrow-minded, religious race. But they had been taught wisdom by misfortune, they had felt the bitterness of an Oriental yoke ; the feet of the Persians had been placed on their necks. The priests were content, and in Egypt the people were always guided by the priests. If Ismail is substituted for the Persians and Lord Cromer for Ptolemy the parallel is complete. But the Egyptian cannot be weighed in European scales ; his history, his moral and intellectual attributes and his social customs contribute to establish a gulf between him and the European. He has his good points, but they show to most advantage when he is governed with firmness and justice and the fear of wrong-doing has been put into his soul. I think it was Ismail who said of the *fellah*, that when he had one *galabieh* he was a very good fellow, but if he had two he was a damned brute.

## CHAPTER XIX

### NATIONALISM

NATIONALISM is a facet of the Egyptian character. Its original chief inspiration was an anti-foreign and more specifically an anti-British virus. It first made itself felt in 1905, after the Denshawai affair, the plank, indeed, on which the Nationalist movement was founded and the one so freely used by the late Mustafa Pasha Kamel, the apostle of modern nationalism in Egypt.

It is twenty-five years ago since Mustafa Kamel appeared on the political horizon. He had been taken up by a well-known French politician, to whom he subsequently became secretary. This was at a time when the French did not see eye to eye with the British concerning Egypt. Mustafa Kamel became imbued with a hatred of England and a desire to free Egypt from the "British yoke." He was a brilliant speaker and had great personal magnetism. He had been well grounded in France in the political patter essential for the part he was to play. He found an ally in the ex-Khedive Abbas, who used him and his party as occasion required to put spokes in the wheel of Lord Cromer. Young Egypt rallied round him, listened with avid ears to his speeches, and read with feverish eagerness the newspapers he published. There can be no doubt that he was largely financed by the Khedive. Until the incident of Denshawai he did not create much impression on the mass of the people. Denshawai gave him his opening and the



ear of the people, and he did not fail to take advantage of both. He was in his way a remarkable personality, and his influence survives to the present day. I have seen Egypt moved on five occasions and one of them was the day of his death. He relied on scathing denunciation rather than on argument in the conduct of his great journalistic campaign against British supremacy. He stimulated amongst the Egyptian people a sense of nationhood, which caused the more impatient among them to resent being kept in tutelage even by the Power whose protection shielded them from outside aggression. A new generation had sprung up who had not known Ismail and the days of oppression, and would not draw for itself the only rational conclusions possible from a comparison between the cruel hardships of the old régime and the occasional and much less serious vexations of the new. As the number of British new-comers who knew little of the people or their habits and language increased, friction grew. It was, perhaps, intensified by Lord Cromer's well-intentioned gesture, inspired, I believe, by Nubar Pasha, against British officials being on terms of intimacy or friendship with their Egyptian colleagues. As the British have increased in number they have more and more lived apart from the Egyptian community, and in their chief residential quarter on the Island of Gezira, they became a self-contained community. This added to the amenities of life for the official class, but it withdrew them from the society of Egyptians, and tended to create a British enclave from which Egyptians were excluded. There were difficulties on both sides which stood in the way of free and unfettered relations between men and women of different races and customs, but when the necessary allowance has been made, it

must be confessed that the increasing segregation has been a cause of estrangement between British and Egyptians and has made the fact of an alien occupation more obtrusive than it need have been. There was a reflex action, and no doubt the self-respect of educated Egyptians was lowered by the system and their dignity was wounded.

Trivial grievances, often of a personal character, help to explain the increasing jealousy of British ascendancy in the newly educated classes and especially amongst the officials, but it was Den-shawai that rankled in the memory of the *fellaheen*. The politically minded, who comprised less than 8 per cent. of the population, were fully alive to the fact that without the co-operation of the *fellaheen*, however much they might shout "Egypt for the Egyptians," they stood no chance whatever of seeing the realisation of their dreams. Alone they were a very small articulate minority of place hunters and office seekers, with little inclination to translate words into deeds and jeopardise their lives and property by acts of open violence which would bring them within reach of the criminal law. They preferred that that should be done by others. They were, however, quite prepared to inspire murder, rowdyism and destruction of property, but took at the same time every care that none of these things should be traced to the direct inspiration of any one of them. They cared little what became of their instruments, so long as they themselves were safe. They were fully aware of the homicidal tendencies of their fellow-countrymen, and knew the very low figure at which the hired assassin valued his services. The rousing of the *fellaheen* was essential to the success of their schemes, and in this they were aided by fortune and the necessities imposed on the British

for the successful conduct of the war. The Egyptian peasant is essentially avaricious, and where money is concerned he lets his imagination soar.

In the autumn of 1914 the price of cotton was merely nominal, and even at that rate it was scarcely saleable. This was the thin edge of the wedge of discontent amongst the *fellaheen*. The price which they received was not sufficient to pay the rent of the land, or if they were peasant proprietors, then it was insufficient for the maintenance of their families and the payment of their taxes. Then, as cotton became an article of prime necessity for the conduct of the war, prices boomed to unheard-of heights. The *fellaheen* had almost forgotten in their joy the low prices of 1914, and were looking forward to prosperity. Then the Cotton Control Board stepped in and fixed the price of the commodity, and not a very small one either. The *fellaheen* then thought they had been defrauded by the English. But there were more obvious factors arising out of the war to alienate their good-will, the recruiting for the Labour and Camel Transport Corps; the requisition of domestic animals; the requisition of cereals; and the collections for the Red Cross Fund. In each case it was not so much the measures themselves that were resented as the manner in which they were carried out.

As regards the recruiting for the Egyptian Labour and Camel Transport Corps, the men enrolled were, as a rule, satisfied with the conditions, and the wages paid were of great benefit to the poorer classes of the population. The hospital accommodation provided for them was not altogether satisfactory, and some of their officers were ignorant of their language and without experience in handling them.

But their readiness to re-enlist again and again, and the fact that those actually serving gave no trouble during the revolution of March 1919, shows that grievances against the service were not serious, taken as a whole. So long as the Labour Corps was locally raised from volunteers arrangements worked satisfactorily. There was some discontent at the prolongation of service beyond the contractual period after recruiting was taken over by a military organisation ; but it was after the voluntary system had ceased to supply a sufficient number of recruits and when administrative pressure was applied to obtain them, that abuses began. In view of the announcement made at the outbreak of war with Turkey that Egyptians would not be required to take part in it, the voluntary system was maintained in name, but measures of coercion were applied by the Omdas, the unpaid administrative officers in the country districts, to whom recruiting was entrusted without supervision by British officials, most of whom had been recalled for duties elsewhere. No doubt many of the Omdas were unscrupulous and took advantage of the position, sending their enemies to serve, while letting off their friends, and accepting bribes for exemptions and substitutions. In some cases measures resembling those of the press gang were adopted, and British pressure was asserted as the excuse for them. The abuses were frequent enough to cause much discontent in certain regions and gave the political agitator his opportunity.

I remember one case which came before the Courts, where a man went to a market with a small note-book in his hand and said to a *ghaffir* (village policeman), "Bring me that man." When the man was brought to him, he apparently read from the pocket-book (it was proved in Court that he was

quite illiterate) and said, "I am commanded by General Murray, Commander-in-Chief of the British Army, to order you to be enlisted." The man, of course, was frightened, and asked was there no means of securing exemption. This was what the man with the note-book was waiting for. He said, "As I have great influence, if you give me a pound I will manage it for you." Apparently he had made quite a good thing by imposing on the credulity of his fellow-countrymen in the name of the British, who of course got all the odium and incurred the ill-will of the *fellaheen*.

Another case which came before me in the Courts was one in which an Omda had sent all the males, old and young, of a family who were his enemies to the Labour Corps. A young woman was the only adult left behind to look after their land, and he accused her of arson to complete his vengeance. I was able with a few questions to knock the bottom out of the case, and the woman was, of course, acquitted. The harm to the British good name had been done, and rumour and exaggeration intensified the mistrust and dislike of the *fellaheen* towards us.

As regards the requisition of domestic animals, though the *fellah* was often hardly hit by the removal of his means of transport, prices which were good at the time were paid when the animals were taken ; on the other hand, the prices at which they could be bought at the end of the war were often considerably higher. While the *fellaheen* were naturally most unwilling to part with their animals, there does not appear to have been much real ground for grievance on account of these requisitions, inevitable in a state of war. But they naturally did not tend to increase goodwill towards those held responsible for them.

A more fertile source of discontent was the requisition of cereals. Owing to the demand for the Army, prices advanced, and market rates were considerably higher than requisition rates. Districts were assessed to furnish a given quantity, and the collection was left to local officials, who derived large profits from the transaction. Not only did Omdas collect larger amounts than they were required to furnish at requisition rates and sell the balance at the higher market rate, but individuals who possessed no wheat had to buy their quota at market rates and hand it over at the lower requisition rate. The process of verification and repayment was slow, and it appears that the provincial officials retained the sums received to make payments for long periods, and that Omdas and Sheikhs, who were entrusted with sums in bulk for distribution, in many cases held back a portion of these moneys. The local officials were mainly responsible for the abuses which occurred, but they were attributed to the British, who, under the exceptional conditions prevailing, were unable to control them.

The collections for the Red Cross were organised locally by Egyptian Mamurs and Omdas, and while intended to be voluntary, were in practice frequently made compulsory by officials seeking to acquire merit by the amounts which their districts contributed. There is no doubt that only a portion of the amount collected ever reached its proper destination. The Mamur would tell the Omda that his village was assessed at £E100, and the Omda would say to the villagers that it was assessed at £E400 and pocket the difference. There was no sort of control. Contributions were supposed to be voluntary, but anything of a more involuntary

nature I have never seen. To entrust the collection to local Egyptian officials was inevitably to open the door to abuses, entailing pressure on the poorer classes, with whom many other circumstances made the war unpopular. It was a colossal mistake, and it is the mistake of the moment which counts. It would have been well had the Joint Committees, and those connected with them, of the British Red Cross and the Order of St. John thought of the very real harm they were doing to their country when collections were made in the form of a levy. The fact that they assigned upwards of £100,000 for the relief of victims in the war in the Egyptian Labour Corps and their families did not undo the bad impression which had been created in the minds of the *fellaheen*.

In addition to the specific grievances to which attention has been drawn, there was in Egypt an unprecedented and progressive rise in prices, especially of the necessities of life, such as corn, clothing and fuel, which weighed heavily on the poorer classes, whose wages were quite inadequate to meet the increased cost of living, while they saw a limited number of their countrymen and the unpopular foreigner making large fortunes.

These various factors had contributed by the end of 1918 to create a condition of discontent and unrest among the *fellaheen* and some loss of confidence in the benefits of British administration. There was thus a favourable field in which the agitator could work. The *fellah* had seen no British officials for a long period, and none had intervened to protect him from inequitable demands. Even before the war, the once familiar figure of the British inspector riding through the fields and stopping to listen to the small farmer's claims and

grievances had almost disappeared, and motor-cars conveyed the hurried official from one administrative centre to another. His disappearance made it easier to believe reports which were spread of the imminent departure of the British, when the land would be divided among the *fellaheen* with an unrestricted water supply and no taxation. The leaders of the Nationalist Party also inspired highly coloured and wholly imaginary accounts of outrages committed on native women by British soldiers, and accounts of murderous assaults on the villages were circulated by unprincipled agitators, and a spirit of vindictive resentment was thus aroused. This campaign of lying calumny and vituperation was also worked up in a Press campaign with a view to assist the Nationalist campaign in Paris. The idea began to gain ground that England was on the run.

The turbulent crowds of the great towns are easily worked up to excitement by political catch-words, but the *fellaheen*, who form two-thirds of the whole people, are normally very indifferent to politics. They are a primitive peasantry, living on the land, and by the land, to which they are passionately devoted. Their whole interest in life centres in their crops and cattle and in the regular supply of Nile water, without which their fields would be barren. But while their outlook on life remains limited, their independence has developed, and they are far more tenacious of their rights than in the old days of despotism.

The *fellaheen*, when left alone, are not unfriendly to the British. No doubt they do not love any foreigner, and as fervent Moslems they start with a certain antipathy to any Christians. But, in the case of the British, these initial prejudices have been to a large extent overcome by experience of the



integrity and kindness of the general run of British officials and by the manifest improvement which their presence has wrought in the condition of rural Egypt. It is true that a new generation, which has never known the evils of the old régime, is less grateful to us than were their fathers, by whom these evils were vividly remembered. But the *fellaheen*, though much less helpless and submissive than in former times, have still cause to dread the rapacity of landowners and the bullying and extortion of a good number of native officials, and against these dangers they feel that British influence afforded them a certain measure of protection. The unfortunate incidents of the war period shook for a time their confidence in our justice and goodwill, and were predisposing causes of the short-lived but savage outbreak of anti-British feeling in the spring of 1919.

But it is idle to hope that the comparatively satisfactory attitude of the peasantry will be long maintained, if our relations with the middle and upper classes of their countrymen continue to be strained as at present. Nationalism has, for the time being, established complete dominance over all that is vocal and articulate in Egypt. From the Princes of the King's family down to the children of the primary schools, the men of property, the professional men, the religious teachers, the literati, the journalists, the students and schoolboys have all, more or less willingly, been swept into the Nationalist movement. The whole nation has succumbed to clamour. Nationalism has permeated the official class and the upper ranks of the Army, and it is inconceivable that the sentiments of their social superiors of every class should not, in the long run, profoundly affect the mass of the people.

No doubt Nationalism as a political creed has little attraction for the unlettered millions, though they can easily be taught to repeat its catchwords. But then it is not so much by abstract political arguments that the extremist agitator seeks to win their support, as by the constant vilification of everything British and by subtly attributing every local disaster and every personal grievance to the malignity and incompetence of British officials. The campaign of mendacious defamation was carried on by many agencies, by preachers in the mosques, by lawyers, by country-bred students returning home for the holidays, by all but a few organs of the Arabic Press. It is true that the *fellah* cannot, as a rule, read himself, but he can always be read to, and everything that is spoken or written to influence him points the same way, the falsehoods so sedulously instilled cannot fail ultimately to poison his mind.

The Azharites were always a turbulent lot, uniformly on the side of disorder, and have ever been a source of trouble to every ruler of Egypt. To a weak ruler they have been a menace and a danger. Many of the big landowners were merely parasites, doing nothing for the people on their estates except to extract money from them. Those that were politically minded were swayed by vanity and ambition, and others were terrorised into joining the Nationalist cause. The lawyers also had their political ambitions, and, moreover, they had just emerged from a state in which their profession was not held in very high esteem. They were also afraid that their position might be prejudiced on account of rumoured changes in the Law Courts. The Government officials coveted the places of the British who were put in authority over them, and thought they would

benefit by any change which would give greater scope for their talent for intrigue. The students, whose system of education mainly fitted them for posts in the Government service, found that there were many more candidates than posts. One of them said at Beni-Suef, in the revolution of 1919, that he was the holder of the secondary certificate, and that he could not find a post at two shillings a day. They were easily caught by catchwords, and neither moral nor mental training having formed part of their curriculum, they were easily swept into the net of ardent and combatant Nationalism. The Princes never forgot they were the descendants of Mohamad Ali, and British rule was intolerable to them on that account. They felt that they were playing a very small part in the shadow show of Egyptian politics. Also perhaps they felt it was safest to go with the tide and pose as patriots.

The Judges of the Native Courts were most of them ardent politicians, and those in the Court of Appeal always looked forward to the chance of becoming members of the Cabinet. It was from their ranks that most of the Ministers were chosen, and not a few of them became Prime Ministers. Their high position made them a great political influence in the country, and though they were discreet enough not to become rabid partisans, yet their sympathies were a great asset to the Nationalist cause. The Assizes, which were held in the chief towns in Egypt, gave the politically minded among them a unique chance for propaganda in an unobtrusive way.

The war was not Egypt's war, and no Egyptian was a member of the British Empire. Loyalty to King George was neither thought of nor taught. The mass of the people in the beginning judged the

war on the little they knew, and that little inclined them to us. They were influenced by the fact that the British and French, the two first-class Powers of whom they had had experience, were on the same side. The *fellaheen* had appreciated the advantages of the British Occupation for the material benefits which it gave them, but spiritually they were aloof from the British. When the Turks joined the Germans, the situation changed. Egypt found herself at war with her own suzerain. British action had, however, been so restricted and so successful that the Egyptian political class said that they never conceived that the Protectorate was anything but a useful and temporary arrangement. Before the war the British hand on the reins had been gradually tightening, and there had been a very large increase in the numbers of British employed in the administration, and all talk of eventual departure had died down. Voices were heard to say that British interests in Egypt were too vital to permit of abandonment and that the Occupation must be practically maintained. The Egyptians never really grasped the full import of the change, and the Protectorate came as a shock. There was a banging of the door which had hitherto been held comfortably ajar. Egypt should have desired an Allied victory, but she was uncertain how the outcome would affect her own political aspirations and interests.

The extreme Nationalist Party had disappeared after the death of Mustafa Kamel. The Allied programme, and more particularly the Fourteen Points, were the greatest of all the agencies that stirred Egypt after the war. They saw the Hedjaz, regarded as one of the most barbarous provinces of Turkey, elevated to a kingdom with no suggestion

of Englishmen to rule. The Jews were promised Palestine, the Syrians were promised autonomy, Armenia and Georgia were turned into independent republics, the Greeks were taking over vast tracts of new territory, there was independence for the Balkan States and autonomy everywhere. They began to ask themselves where Egypt came in. They looked upon Egypt as the most progressive and enlightened of Eastern States. They had built the Suez Canal and the Delta Barrage, and they had learnt everything that was possible from the British. Surely now they deserved independence.

For the Egyptian no problem was second to that of Egypt, and Egypt resented the rebuff to Rushdy Pasha after the Armistice. England had had time to consider other countries, why had she not found time to consider Egypt? Suspicion began to grow that Great Britain considered Egypt her own.

## CHAPTER XX

### THE MILNER MISSION IN 1919

I HAD not been home since the war began, and was feeling the need of rest and a change. The difficulty was to get there, and everyone naturally wished to go. The British Government practically had a monopoly of the shipping for demobilisation purposes, and to get a passage seemed almost an impossibility. However, Sir Edward Goschen, who was then in the Finance Ministry in Cairo, took up his quarters in the offices of Messrs. Thos. Cook & Son, and evolved order out of chaos. He allotted us passages on the P. & O. *Mantua*, which, to my great regret, my old friend Vibert no longer commanded. The ship was packed with troops and passengers, but there were no incidents on the voyage. We travelled overland from Marseilles, and found that there was little *entente cordiale* in France, and I was glad when we arrived in London. My joy was somewhat lessened on our arrival at Victoria, however, by finding every hotel full, and it looked as though the railway waiting-room would be our quarters for the night, when the porter suggested that the military transport officer might be able to help. He was, and at last got us rooms.

When I was in London, Lord Milner, whom I had known since I went to Egypt in 1890, asked me to call and see him at the Colonial Office to hear my views on the situation in Egypt. I had a long and interesting talk with him, and felt glad that the

British Government had confided to a statesman of such eminence the difficult task of solving the Egyptian problem.

No sooner had we arrived in England than the question arose of how to return to Egypt. I did not obtain much satisfaction, but the P. & O. Company promised me they would do their best, and I had to leave it at that. Then came a railway strike.

The P. & O. people told me that they had arranged our passages, but the Sudan office, which was supposed to be looking after Egyptian officials, seemed doubtful. However, I got our tickets from the P. & O. We had to join the ship at Marseilles, and the P. & O. special left London four days before the date of sailing. I went to Victoria Station to see how things were, and was told that there were between five and seven hundred people left on the platform every morning and that luggage could not be taken. I could not find any of the senior railway officials, and I walked down Victoria Street in a very despondent frame of mind, and turned in at the Foreign Office to see if I could get any help. There were only juniors there, everyone was at the Peace Conference in Paris. They told me that even Foreign Office officials experienced great difficulty. On leaving the Foreign Office I had a brain wave, and went to see General Sir Nevil Macready, the Chief Commissioner of Police. He was most kind and put his own special man at my disposal, and with him I at once returned to Victoria. Then matters became easy, as he not only knew the right people, but knew where to find them. I arranged that passengers by the P. & O. special should have their baggage registered the day before departure. Then there was a cab

strike in London, and I was warned that I must be at the station at six o'clock in the morning, otherwise our seats in the Pullman would be taken. With the cab strike on, Half-Moon Street became remote, so with great difficulty I managed to secure a large room at the Reubens Hotel, where we camped for the night. We went to the station at 5.30 a.m. and found our man holding the fort: he had been there since three o'clock. Macready proved indeed a friend in need, for without his help we should probably have been left on the platform, and we certainly could not have gone without our baggage. The train did not leave until nine o'clock.

I had managed to get influenza the day before and had fever on me, which was not the best preparation for such a journey. The Channel boat was densely packed. The French authorities evidently did not care about Channel crossings, so instead of examining the passports during the voyage, they were examined on the boat's arrival on the French side.

We put up at Marseilles at the Hôtel de Noailles, and had the most expensive bedrooms I have slept in. All the hotels were crowded, and there was nothing else to be done. Fortunately it was only for three days. On the steamer I managed to get, in the circumstances, rather good cabins. There were, of course, many little drawbacks. There was no bell, and a few rusty nails comprised the wardrobe accommodation. I never saw the cabin steward, and the only sign of his presence was that occasionally hot water was deposited in the cabin in an old can. Among our fellow-passengers was Sir Valentine Chirol, who was going to Egypt as special correspondent of *The Times*. We became friends, and he wrote in my house at Gezira some



chapters of his remarkable book, *The Egyptian Problem*, which ranks with Milner's *England in Egypt* as one of the best works that have been written on Egypt in modern times. The only incidents on the voyage were fights with knives between Syrian emigrants who were returning to their homes from America, with their pockets filled with gold.

The political situation in Egypt showed no signs of improvement. There was the usual students' agitation and the vernacular Press was almost unanimous in calling on the Government to have no contact with the Milner Mission. On the 19th November Lord Allenby issued a Proclamation which stated that the policy of Great Britain in Egypt was to preserve the autonomy of the country, to encourage the system of self-government under an Egyptian ruler, and to defend Egypt from all danger and establish a constitutional system. This led to the resignation of Mohamad Saïd's Government and riots at Cairo and Alexandria. Then a British officer was shot in the streets of Cairo, and a formal boycott of the Milner Mission was proclaimed on the 22nd November. On the 22nd December a protest was signed by the Grand Mufti and all the leading religious officials of Al-Azhar saying that the mosque had been violated by British troops, who broke open the door, forced their way in and maltreated the inmates. This was a gross misstatement made for the purpose of embittering the masses against the British and to keep up the feeling of resentment.

The despatch of a Special Mission to Egypt had been under the consideration of His Majesty's Government since April 1919, when the prevailing unrest in that country had culminated in manifestations of violence and disorder; and in May the

announcement was made that such a Mission, under the chairmanship of Lord Milner, would proceed thither in the autumn. The openly avowed intention of the Egyptian Nationalists to organise a boycott of the Mission received great encouragement, from the protest against its being sent before peace with Turkey had been signed of Mohamad Pasha Saïd, the Prime Minister, and was intensified after his resignation, which followed the overruling of his protest. Mohamad Pasha Saïd was succeeded as Prime Minister by Wahba Pasha, and his Ministry was in office during the whole time the Milner Mission was in Egypt. Wahba's Ministry was of no distinct political colour, and was indisposed to take any decided line with regard to the burning question of the future of Egypt. It was merely a Ministry of affairs, and tried to work harmoniously with the Sultan and the British High Commissioner.

The change of Ministry in Egypt, and other circumstances, caused the departure of the Mission to be delayed until the end of November. They arrived at Port Said on the morning of Sunday, the 7th December, and in Cairo on the afternoon of the same day. In view of the general attitude of hostility to the Mission, which had been sedulously fostered, every precaution was taken for their security, and they reached the Semiramis Hotel, where quarters had been prepared for their reception, without incident. At Cairo station the Nationalists had prepared a warm reception for them. There was a large crowd present armed with tomatoes and eggs, which an unfortunate individual received as he got into the Semiramis bus, the Mission having left the train at Shubra station a few miles out of Cairo. The day after their arrival the members of the Mission were all presented by Lord Allenby

to the Sultan, a formality which had been preceded by a short audience of a more intimate kind which he had accorded to Lord Milner. This was the first of a number of conversations which, during their stay in Egypt, the chairman and other members of the Mission had with His Highness. In these conversations he expressed himself freely about the political situation in Egypt, the events of the last few years and the difficulty of his own position. But he carefully abstained from giving any advice with regard to the subject of the reference, namely, the future constitution of Egypt. Beyond warning them to be slow in forming conclusions and on their guard against busybodies, and indicating certain men of position whom it would be well for them to consult, such as Rushdy Pasha, Adly Pasha, Mohamad Pasha Saïd and Mazloom Pasha—all of them ex-Ministers—he never attempted in any way to guide or influence their deliberations. His attitude as far as the main object of the Mission was concerned was one of studied reserve.

This reserve was even more marked in the case of the Ministers, who were at all times ready to assist the Mission in their enquiries, nor was there any doubt of their willingness to give them every opportunity of becoming acquainted with the mechanism of government or the state of the country. But they were particularly careful to leave them to form their own conclusions. Though freely invited to do so, they were not disposed to make any suggestions, and never evinced any desire to know in what direction the thoughts of the Mission were tending with regard to the future government of Egypt. They were afraid.

In strong contrast with the caution and reserve exhibited by the native official world, was the storm

of protests and disapprobation with which the arrival of the Mission was greeted by the native public and the native Press. They had not been many days, or even hours, in Cairo before they had ample evidence of active and organised antagonism. Telegrams poured in announcing the intention of the senders to go on strike as a protest against their presence. Many of these were despatched by students and schoolboys, but others came from public bodies, such as provincial councils, a few from Government officials, and a considerable number from corporations or communities of greater or less importance. They received in all 1,131 such messages during their stay, while only 29 telegrams of welcome were received, mostly from private persons acquainted with individual members of the Mission. The Egyptian vernacular Press, with rare exceptions, exhausted their repertory of vituperation and innuendo, proclaiming that any recognition of the Mission would be interpreted as an acceptance of the existing situation, and that any Egyptian who had dealings with its members would be guilty of treason to his country. The majority of the writers consistently maintained that Zaghlul Pasha in Paris was the accredited representative of the Egyptian people, and the Mission was recommended to address itself to him. A series of short strikes were declared by students, lawyers, tramwaymen, cab-drivers and shopkeepers, and processions of strikers, reinforced by a number of schoolboys and the rougher elements of the city, paraded the streets with banners, denouncing the Mission in general and Lord Milner in particular, and acclaiming Zaghlul Pasha and the "complete independence of Egypt." Nor were such demonstrations confined to the male population. The

Cairene Ladies availed themselves of this occasion to abandon their seclusion and to drive through the streets with similar war cries. The procession, however unwonted, was orderly enough, but the schoolboys and hooligans were frankly riotous, and but for the admirable order maintained by the police, with occasional military support, there would have been considerable destruction of property and even bloodshed. As it was, beyond the wreckage of a few tramcars, little damage to property actually resulted ; and after the first week or two disorder in Cairo gradually subsided, though throughout the stay of the Mission occasional attacks on British soldiers and three successive attempts to assassinate members of the Ministry showed that the criminal element was still active, especially the student section of it.

It seems needless to dwell at greater length upon the many manifestations of hostility to the Mission and its object. Mention should be made, however, of two of them, which, being indicative of the strength of the popular current and feeling, were of special importance. In the second week after the Mission's arrival the heads of the Azhar University addressed a manifesto to the High Commissioner which set forth the claims of Egypt to complete independence and demanded the withdrawal of the British. There was some reason to believe that the religious leaders who actually signed this document were not particularly enamoured of the political course on which they thus found themselves embarked, but yielded to the pressure of the teachers and students, among whom an anti-British spirit had for some time been increasingly active. This manifesto was soon followed by a similar declaration, signed by six Princes of the family of Mohamad Ali, near relatives of the Sultan, which was contained in

a letter to Lord Milner and simultaneously published in the Press. The action of the Princes may have been prompted by various motives, but the dominant one was undoubtedly their desire to gain popularity by identifying themselves with a movement which at the moment was sweeping like a tidal wave over the country.

The immediate object of the promoters of this movement was to prevent the members of the Mission from coming into friendly touch with representative Egyptians, and thus ascertaining for themselves how much substance there was in the demand for complete independence and in the ceaseless denunciations of "the Protectorate." Moreover, the head-quarters of the Mission were constantly watched by unostentatious pickets. The visit of any Egyptian of note was at once communicated to the Press, and became the subject of minatory comment; while the offender was liable to be subjected to a visit in his own house from a group of students, demanding an explanation of his conduct, which generally ended in his making a profuse profession of his Nationalist faith and affirming that in his conversation he had been careful in no wise to depart from it. Only in one or two cases did the person visited have the courage to tell the intruders to mind their own business. Meantime the movements of the members of the Mission were carefully followed, especially when any of them went into the provinces. Emissaries would be immediately despatched from Cairo to dog their footsteps, to try to prevent their getting into touch with the local people, especially with the *fellaheen*, and to arrange demonstrations to impress them with the solidarity of Egyptian opinion. The visit to Tanta of one member led to serious riots, which

continued for many days, and were only quelled by the intervention of the military. These demonstrations naturally to some extent hampered their work. But they certainly failed in their main object, for if the Egyptians were as unanimous as they were alleged to be, the Mission should have been left to find that out for themselves by going about the country without let or hindrance.

It must not be supposed that the boycott of the Mission, carried out as it was mainly by students and schoolboys, was approved by educated Egyptians generally, or even by all those who held advanced Nationalist views. Rudeness to strangers appeared to them inconsistent with the courtesy and hospitality upon which all Egyptians pride themselves. Moreover, there was a large number of men who were really anxious to bring their views before the Mission, but were deterred from doing so by fear of the personal annoyance to which they might in consequence be exposed. It was, therefore, suggested to the Mission in many quarters that, if only they could make it clear that by appearing before them a man did not necessarily compromise his position as a Nationalist, the barrier to free converse would be removed. They accordingly drew up the following declaration, which was published on the 28th December in the Official Journal :

“The British Mission has been struck by the existence of a widespread belief that the object of its coming is to deprive Egypt of rights which it has hitherto possessed. There is no foundation whatever in this belief. The Mission has been sent out by the British Government, with the approval of Parliament, to reconcile the aspirations of the Egyptian people with the special interest which Great Britain has in Egypt and with the

maintenance of the legitimate rights of all foreign residents in the country.

"We are convinced that with goodwill on both sides this object is attainable, and it is the desire of the Mission to see the relations of Great Britain and Egypt established on a basis of friendly accord which will put an end to friction and will enable the Egyptian people to devote the whole of their energies to the development of their country under self-governing institutions.

"In pursuance of this task the Mission desires to hear all views, whether of representative bodies or individuals who have the welfare of their country at heart. All opinions may be freely expressed. There is no wish on the part of the Mission to restrict the area of discussion nor need any man fear to compromise his convictions by appearing before it. He will be no more compromised by expressing his opinions than the Mission will be compromised by hearing them. Without a perfectly frank discussion it is difficult to put an end to misunderstandings and arrive at an agreement."

This declaration certainly had some effect in mitigating hostility, but it did not get over the reluctance of Egyptians generally to enter into formal relations with the Mission. Many opportunities of social intercourse with men of various classes, however, arose, and as the people whom the Mission thus met, and who certainly included most of the leaders of Egyptian opinion, expressed their views in private with the greatest frankness, they succeeded during the three months of their stay in very thoroughly gauging the main currents and thoughts of the Egyptian world. While a good deal of time was spent in these conversations, the situation was also studied from an entirely different angle. In addition to the carefully prepared volumes of official



documents drawn up for the instruction of the Mission by the Foreign Office, a very considerable amount of valuable evidence had been collected before their arrival by an Information Committee instituted by the High Commissioner, which had obtained the considered views, on many issues, of prominent officials, of unofficial residents and representative bodies. My contribution was a paper called "Does Existing Legislation Afford a Solution of the Egyptian Question?" in which I advocated the retention of the Capitulations and the Mixed Courts, and furnished the outlines of what became later known as the Hurst project. In January 1920 I wrote to the Mission, and made the following suggestions :

- (1) An alliance between Great Britain and Egypt.
- (2) Egypt to be made independent.
- (3) Treaty securing British interests in Egypt, such as the Suez Canal, communications, air and otherwise.
- (4) Foreign Treaties not to be made by Egypt which might be detrimental to British interests.
- (5) Adequate protection of British and foreign interests and their subjects.

At the time I made these suggestions I was actuated by the desire that an honourable settlement should be arrived at. I then had some confidence that the Egyptians were not quite the hopelessly impossible people that they have since proved themselves to be.

My colleague, Judge Percival, invited his English colleagues on the Bench, M. Van den Bosche, the Procurator-General of the Mixed Courts, and M. Wathelet, one of the Counsel of the Egyptian Government, to lunch to meet Sir Cecil Hurst, one of the members of the Mission and Legal

Adviser to the Foreign Office. It was at this luncheon that I advocated the desirability of maintaining the Mixed Courts. I could see from the expression on the faces of Van den Bosche and Wathelet how much surprised and gratified they were that this old institution, which had done such good work in the past, was not in such jeopardy as they had imagined. A few days afterwards I asked the members of the English Bar practising in Egypt, English colleagues, and Judge Crabites, one of the American Judges in the Mixed Courts, to meet Sir Cecil Hurst, so that he might have an opportunity of hearing their views and also those of Judge Crabites, a man of great ability and very friendly to Great Britain.

The Mission got into personal touch with as many members of the British community, official and unofficial, as possible, as well as with the principal foreign residents, who, of course, had no hesitation in coming into open contact with them. They were also able to hear the views of the French, Italian and Greek, as well as of the British, Chambers of Commerce. The work done by the Mission was very thorough and comprehensive in its character, and every channel of information was thoroughly explored and sifted by the members, and no one was better qualified for the task of finding an honourable solution for the state of affairs in Egypt than Lord Milner.

Allowance must be made for the fact that at the time of the Mission's visit, anti-British clamour was exceptionally intense. It was no doubt artificially stimulated by the more extreme section in order to impress them, and no man of any experience in such matters would mistake the extravagances of a political agitation at fever pitch for the deliberate expression of the mind of a people. But it was a

significant fact that while Egyptians undoubtedly disapproved of the excesses of the agitators, very few who were not compelled to do so by their official positions, made any effort to check them. Men of standing, whatever their personal views, were much too afraid of appearing to be out of sympathy with national "aspirations" to exercise any moderating or restraining influence. No one would have dared to say he was in favour of the "Protectorate," or that he was not in favour of "complete independence." To all outward appearance independent opinion was solidly Nationalist, and in the opinion of the Mission it was likely to remain so.

The position was undoubtedly a serious one, and in face of this solid phalanx of opposition it might seem at first sight as if we had either to abandon our position in Egypt altogether, or to maintain it by sheer force, in the teeth of the general and ever-increasing hostility of the Egyptian people. But a closer study of the problem led the Mission to take a more hopeful view. From many and intimate conversations with representative Egyptians, including some who were generally regarded as extreme Nationalists, the conviction was borne in upon them that they were not so intransigent, and certainly not so anti-British, as the frantic diatribes of the Press might have led them to suppose. The broad banner of Nationalism was seen to cover many shades of opinion, and above all, most notable differences of temper and aim. Undoubtedly there are a number of Nationalists whose fundamental hatred of all foreign, and especially all British control leads them to commit, or at any rate to sympathise with acts of lawlessness and crime. Not only are their aims wholly incompatible with any sort of understanding between British and Egyptians, but

they are prepared to pursue them by methods which nothing could justify and which no Government could do otherwise than strive to repress. They are deliberately encouraging a system of terrorism, which is intended to render any co-operation between British and Egyptians impossible in the future.

The untoward events of the last few years in Egypt itself and the restless and revolutionary spirit throughout the whole world, which has had a strong repercussion in that country, have undoubtedly been grist to the mill of this extreme section, and have given a more sinister character to the Nationalist movement. No wonder that, in these circumstances, Nationalism has appeared to many British people on the spot, and perhaps even to more at home, to be synonymous with Anglophobia and to aim at the complete subversion of the existing system of government in Egypt. But the Mission was satisfied before leaving Cairo that it would be a profound mistake to take this sweeping view, that it would be wrong to allow the impression of a period of turbulence, like the preceding twelve months, to blind them to what is reasonable and legitimate in the aspirations of Egyptian Nationalism. Such an indiscriminating attitude could only tend to drive moderate men more and more into the camp of the extremists and to convert the present deplorable state of friction between British and Egyptians, which in the view of the Mission is not incapable of being remedied into bitter and enduring hostility. Violence and disorder must, of course, be repressed, and the measures taken to that end during their stay in Egypt were as temperate as they were effective. The duty of promptly suppressing violence and disorder did not, however, lead them to confound all those who are in a greater or less degree opposed to the existing

system of government with the pronounced revolutionaries, or simple criminals, who were responsible for the outbreak in the spring of 1919, and the sporadic acts of violence which have been perpetrated since. In talking to many men who professed Nationalist opinions—and indeed, it was difficult to find anyone who repudiated all sympathy with them—they encountered a very different spirit from that which found expression in such outrages. These men denounced the resort of violence or open rebellion as not only criminal but useless. Great Britain—such was the general view—was more than strong enough to keep Egypt in permanent subjection, if she preferred unwilling subjects to friendly and grateful allies. For all recognised, with more or less warmth and spontaneity, the great benefits which Great Britain had conferred upon Egypt, while most of them also recognised that Egypt still stood in need of British assistance, not only in the work of internal reconstruction, but for her defence against foreign interference, and the danger of once more becoming the arena of international rivalry and intrigue. They all, without exception, admitted that Great Britain had a very special interest in Egypt, as the central link in her communications with her Eastern Empire and the Australasian Dominions, and a perfect right to guard these communications from any danger of interruption. But was it necessary for the fulfilment of these objects to deprive Egypt of her independence, to try to convert her into an integral part of the British Empire, and to run counter to the ineradicable desire of the Egyptians to take their place as a distinct people, among the nations of the world? Would not an orderly and friendly Egypt, in that intimate association with Great Britain, serve British

purposes as well, or even better, while removing all sense of grievance and all spirit of revolt on the Egyptian side? Moreover, was not such a consummation the only one consistent with the avowed policy of Great Britain, with her reiterated declarations, that it was not her intention to appropriate Egypt, or to incorporate her in the British Empire, but to make her capable of standing on her own feet? In the sincerity of those declarations they had long believed, but were now ceasing to believe. After nearly forty years of British occupation, they seemed to be not nearer to, but distinctly farther from, the goal at which Great Britain had professed to be aiming. With our continued insistence on the Protectorate, which they all regarded as the permanent subjection of their country, Great Britain had definitely departed from her original policy, and, in fact, had broken her word. They had accepted the Protectorate, when it was first declared, as a security for the moment. Great Britain, being at war with Turkey, had not unreasonably severed the remaining links between Turkey and Egypt, and something had immediately to be substituted for the former Turkish suzerainty. The Protectorate was thus justified as a temporary expedient, but at the end of the war they had always expected that Great Britain would proceed to regulate her relations with Egypt in a manner more consistent with her declarations, with her real interests, and with her honour. Instead of that, they now saw nothing before them but the permanent loss of their nationality, of their existence as a people. They were to become a "British Colony," to be British subjects. Against that they appealed, and would continue to appeal, to the British sense of justice, and in the last resort to the sympathy of the whole civilised world.

## CHAPTER XXI

### THE MILNER MISSION

THE preceding chapter contains what the Mission believed to be a fair statement of the average opinion of Egyptian Nationalists. The violence, unfairness, and unreason of the more extreme and noisy section have given the whole movement an appearance of intransigence which is not essential or necessarily enduring. The remarkable organisation known as the *Wafd* ("Delegation"), which, under the leadership of Zaghlul Pasha, had established, for the time being at least, so complete an ascendancy over the Egyptian public, and claims, not without many credentials, to speak in the name of "the nation," does not consist mainly of extreme men. Its members were drawn largely from the ranks of the old *Hisb al Umma*, which, in contrast to the *Hisb al Watani*, the real revolutionary and anti-British party, stood for gradual and constitutional progress. It is true that in face of an attitude on the part of the Mission which seemed to present a blank negative to all their hopes, Zaghlul and his associates had, until quite recently, been drifting steadily to the left. But in the experience of the Mission, it only needed some effort to understand their point of view and to remove their suspicions of the intentions of Great Britain, in order to get many of the Zaghlulists to discuss the situation in a perfectly reasonable spirit. And the same is naturally true of men of even more moderate views, like the ex-Ministers Rushdy, Adly and Sarwat Pashas, who, while sym-

pathising with the ideals of Nationalism, had never actually joined the *Wafd*. In such discussions, once they had got away from phrases and formulæ and come to grips with the practical difficulties of the problem, it soon became apparent that there were many shades and varieties of opinion among Egyptians. The one thing common to them all was the desire to preserve their nationality, their distinctive character as a people.

It is evident from what has been said that any effort at reconciliation between British and Egyptians, which seriously attempts to bring the more moderate and friendly elements of Egyptian Nationalism once more on to our side, must take account of this deeply rooted feeling. No grant to Egypt of a greater or less measure of "self-government," even if it went the length of what is known as "Dominion Home Rule," would meet the case, because Egyptians do not regard their country as a British Dominion or themselves as British subjects. This wholly differentiates the problem of constitutional development in Egypt from the same problem in countries which have for years indubitably formed part of the British Empire, as, for instance, British India. We talk of such countries gradually attaining the status of nationhood. The Egyptians claim that they already have this status. No settlement of the future of Egypt which does not recognise this claim is ever likely to be accepted by the Egyptian people; it can only be imposed on them.

As against these considerations, there is the patent fact that Egypt, though not actually a part of the British Empire, is of vital importance to our whole Imperial system, and that the country under British guidance has attained a new level of civilisation, from which it would be disastrous to allow it to



relapse. To reconcile the defence of these interests—Egyptian as well as British—with the recognition of the national status of Egypt is no easy matter. And the problem seems, at first sight, to be further complicated, though on a closer study it may turn out to be really simplified, by the exceptionally strong position which the foreign colonies, other than the British, occupy in Egypt. In no other country are there so many resident Europeans, enjoying such special privileges or filling so many important posts in commerce, in education, in the professions, in society and even in the Government departments. The great towns, especially Alexandria, are to a large extent Europeanised, and in a certain sense Egypt will always remain an international country. No solution of the Egyptian problem can be enduring unless it provides for the security of the great European interests, which are so strongly entrenched in the Nile valley. But, then, everything in and about Egypt is, and always has been, unique. There are no precedents for us to follow in dealing with conditions so abnormal. Any system which really fits these conditions is bound to be novel, and it should not be condemned as unsound merely because it looks paradoxical.

In view of all these difficulties the Mission gradually came to the conclusion that no settlement could be satisfactory which was simply imposed by Great Britain upon Egypt, but that it would be wiser to seek a solution by means of a bilateral agreement—a treaty between the two countries. In no other way did it appear possible to release Egypt from the tutelage to which Egyptians so vehemently object, without endangering any of the vital interests which we are bound to safeguard. All necessary safeguards, as it seemed to them, could be provided in the terms

of a treaty of alliance by which Egypt, in return for Great Britain's undertaking to defend her integrity and independence, would agree to be guided by Great Britain in her foreign relations, and would at the same time confer on Great Britain certain definite rights in Egyptian territory. The rights the Mission contemplated were of a twofold character. Firstly, in order to protect her special interests in Egypt, the safety of her Imperial communications, Great Britain was to have the right to maintain a military force on Egyptian soil ; and secondly, for the protection of all legitimate foreign interests, she was to have a certain measure of control over Egyptian legislation and administration, as far as they affected foreigners. The former privilege was no more than what Egypt could honourably concede to an ally who undertook to defend her against all external dangers, and whose strength and security were therefore of vital importance to Egypt herself. And the latter privilege would involve no greater infringement of Egyptian independence than that to which, by virtue of the Capitulations, Egypt has always been exposed. "Capitulations"<sup>1</sup> is the name given by Europeans to those concessions which secured from the early Sultans of Turkey extra-territorial rights to foreigners residing there, in continuation of similar privileges granted to foreign residents by the Byzantine Empire. They are unilateral and non-terminable, but liable to modification by subsequent treaties. If, however, these latter treaties are terminable, the Capitulations revive on the expiration of such treaties. Primarily, they were intended to make it possible for Christians to trade and reside in the territories of the

<sup>1</sup> The political student is referred to an article by the author, "The Capitulations in Egypt," which was published in the *Quarterly Review*, July 1928.

Ottoman Empire by safeguarding them against any forms of injustice or ill-usage, to which, as foreigners of a different religion, they might otherwise have been subjected. The Capitulations granted to Great Britain by the Porte date back to a very early period, but after various alterations now bear the date of 1675, and were confirmed in the Treaty of Peace concluded at the Dardanelles in 1809. Capitulations were granted to France in 1581, 1604 and 1673, and were renewed in 1740. The Dutch were granted Capitulations in 1612; these were renewed in 1680 and still continue in force. Nearly all the other Great Powers obtained similar concessions from the Porte at one time or another in the course of the last 400 years.

It is in virtue of these unilateral treaties with the Porte that Capitulations exist in Egypt. The Powers enjoying them before the war were fifteen in number, viz., Great Britain, United States of America, France, Italy, Spain, Holland, Belgium, Norway, Sweden, Denmark, Greece, Portugal, Russia, Germany and Austria-Hungary. The Privileges of the last-named were terminated by the recent Treaties of Versailles and St. Germain. In Egypt the rights conferred on foreigners by the Capitulations, apart from certain commercial concessions, included: immunity from personal taxation without the assent of their Governments; inviolability of domicile and protection from arbitrary arrest; and exemption from the jurisdiction of the local Courts. Since the creation of the Mixed Tribunals in 1876, the practical effects of the last-mentioned privilege are that no legislation applicable to foreigners can be enforced without the consent of the capitulatory Powers, and that civil jurisdiction in cases between Europeans and natives

or between Europeans of different nationality is exercised by the Mixed Courts, while criminal jurisdiction over Europeans and jurisdiction in civil cases between Europeans of the same nationality is exercised by the Consular Courts applying the laws of their own countries. The only internal taxes to which foreigners are at present liable are house and land tax.

The substitution of a single Power, Great Britain, for the thirteen foreign Powers which have hitherto enjoyed capitulatory rights in Egypt, would tend to enlarge rather than to curtail her independence. Moreover, it was part of the scheme of the Mission, as it has always been a feature of British policy in Egypt, to confine the special privileges enjoyed by foreigners under the Capitulations within more reasonable limits, and by so doing to make Egypt much more mistress in her own house than she is to-day. But this could only be done if Egypt was prepared to recognise Great Britain as the protector of these foreign privileges when reduced to reasonable proportions.

This latter point requires a word of explanation. The restrictions which the Capitulations impose upon the sovereign rights of Egypt have a good as well as a bad side. In so far as they protect the liberty and property of foreigners by ensuring them justice in the Courts and immunity from arbitrary action on the part of the local authorities, their operation is beneficent. But, on the other hand, by exempting foreigners from taxation and from the necessity of conforming to local laws and regulations of an equitable kind, they constitute a great and unjustifiable hindrance to the progress of the country. For this reason it is, and always has been, the policy of Great Britain to get rid of the Capitulations and to substitute for them a system which, while pro-

tecting all legitimate foreign interests, would put an end to the indefensible privileges which foreigners now enjoy. Negotiations to secure that object have for some time been going on between Great Britain and the other Powers who have capitulatory rights in Egypt. But the Powers in question cannot be expected to give up these rights unless they are assured that their nationals can rely on obtaining justice and fair treatment in the future. In order to be able to give them that assurance, Great Britain must be put into a position enabling her to implement it. Thus it is in Egypt's own interest to empower Great Britain to act as the protector of such of the privileges now enjoyed by foreigners in Egypt as it is just and reasonable to maintain. It is in this sense that the recognition in the Peace Treaties of Great Britain's special position in Egypt should be interpreted.

These in broad outlines were the main features of the settlement by which the Mission had come to think that the relations between Great Britain and Egypt might in future be regulated. And when they began to discuss them with those Egyptians, all of more or less advanced Nationalist opinions, with whom they were in friendly contact, it was encouraging to find that their suggestions met with a large measure of sympathy. No doubt the idea of a Treaty, of a settlement arrived at by agreement as between equals, not by dictation from above, appealed strongly to their sense of being a distinct people, to their national self-respect. For evidently that idea involved the recognition, in principle, of the independence of Egypt, and was inconsistent with the theory of her being a British possession. And when they came to consider the conditions which in the proposal were attached to this recogni-

tion, they were ready to admit that, however unacceptable to extreme Nationalists, these conditions were nevertheless such as they could themselves justify to their countrymen, as being compatible with their status as a nation. For that status could only be maintained in fact by the support of Great Britain, and Great Britain was entitled to a reasonable *quid pro quo* for this indispensable support. That she could claim to control the foreign policy of Egypt, and should have the right to maintain, for her own Imperial purposes, a force on Egyptian soil, was no more than such a *quid pro quo*. As regards her domestic affairs, Egypt would be completely self-governing except in respect of the privileges of foreigners. And the restrictions upon the full exercise of Egyptian sovereignty which the maintenance of some of these privileges involved were no greater but less, and far less, irksome than the restrictions which had always existed. In view of these practical considerations, it could not be denied that the proposed arrangement was conceived in the interests, not only of Great Britain, but of Egypt, and could be defended as a fair and reasonable basis for future co-operation.

The point of view of the Egyptians of whom they were speaking can, of course, only be stated in general terms. There was much discussion and much difference of opinion among the Egyptians themselves about details. Interminable and wearisome argumentation about the meaning of words—"Protectorate," "Sovereignty," "Independence," and "Complete Independence,"—occupied much time. But it did not prevent a great deal of practical consideration of the actual provisions of the contemplated Treaty or indicate that agreement about them was in any way impossible. On the whole

the conversations which they had while in Egypt left on their minds the impression that they had made great progress towards a good understanding, and especially that they had got into a much better atmosphere. The bitterness and suspicion, with which all Egyptian Nationalists had recently come to regard Great Britain, were beginning to disappear, and there was a good prospect of gaining the support of the more moderate section for a policy of reconciliation.

But there was a distinct limit to anything that the Mission could achieve while still in Egypt, in the shape of definite results. It was not within their competence to arrange a settlement of the Egyptian problem. They could only advise as to the best course to be followed to that end. And the Egyptians with whom they conversed, one and all, were emphatic in stating that they were only expressing their individual opinions, and that they could not claim to speak for the great body of their countrymen. Indeed, almost all of them went farther, and referred them to Zaghlul Pasha and his Delegation as being the only men authorised by general acclamation to represent the Egyptian people. The Mission, of course, could not admit that Zaghlul Pasha and his associates possessed the full measure of authority thus claimed for them, but neither could they blind themselves to the fact that they were for the time being the most powerful leaders of Egyptian opinion, and that no scheme to which they were definitely hostile stood any chance of favourable consideration, much less of general acceptance. But it was essential, from the point of view of the Mission, as they had explained to the Egyptians from the first, that the Treaty which they contemplated, if it was to have any real value, must

be concluded in such a manner as to make it not only technically but morally binding on Egypt. As a matter of form, it would be a Treaty between the British and Egyptian Governments. But an agreement merely between Governments would not be sufficient. It might always be said afterwards that the Egyptian Government was not a free agent, but was bound to accept any terms that Great Britain chose to impose, and that in any case it was an autocratic Government, not really representing the Egyptian people. For these reasons it had always been a fundamental point in the plan of the Mission that the Treaty should not be allowed to come into force, unless it had been approved by a genuinely representative Egyptian Assembly. This might be the existing Legislative Assembly, the sittings of which had been suspended since the outbreak of war, or preferably, it might be a new body elected *ad hoc*. It was rather for the Egyptians to say what kind of Assembly would be in the truest sense representative. But it must in any case be a popularly elected body, deliberating with perfect freedom, and taking its decision without official or other pressure of any kind.

In any such assembly, they were assured on all hands Zaghlul Pasha and his associates would command a substantial, if not an overwhelming, majority. In these circumstances it appeared absurd to the Mission to let any question of etiquette stand in the way of their engaging in discussion with him, if he was willing to confer with them. They had from the outset invited representative Egyptians to lay their views before them, without prejudice on either side. And, as a matter of fact, it seemed likely at one time that Zaghlul Pasha, who was still in Paris, would return to Egypt to meet the Mission.



Great efforts to induce him to do so were made by the Egyptians who had been conferring with the Mission, and some of whom were among his strongest adherents. Adly Pasha also, who though himself occupying an independent position, was in friendly relations with Zaghlul, and was most anxious to effect a meeting between him and them, lent his powerful influence to second these efforts. But Zaghlul Pasha did not as yet see his way to respond to these appeals, and though numerous communications passed between him and his friends in Egypt during the latter portion of their stay, he remained for the time being in Paris.

The position, therefore, at the time when the Mission left Egypt was as follows: They had obtained from British and Egyptian sources a vast amount of information about existing conditions; they had had ample opportunities of making themselves acquainted with the state of public feeling; they had formed their own opinion as to the policy best calculated to reconcile the British and Egyptian interests; but they were not yet in a position to say whether the scheme they had in their minds, even if it commended itself to British opinion, was likely to command sufficient support in Egypt to make it worth while to attempt a settlement on their lines. They could only report on the situation as they found it, and indicate the conclusions to which their enquiries had led them, and express the hope that the better understanding between British and Egyptians, of which they had seen some promising signs, might make it ultimately possible to determine the future status of Egypt by mutual agreement.

The Mission left Egypt at the end of the first week in March, and met again in London about the middle of April 1920 with the view of drawing

up their report. No sooner had they begun to do so than a new and not wholly unexpected development of the situation caused them to interrupt their work in the hope of being able to obtain fuller information with regard to the capital point on which, when leaving Egypt, they had still remained in doubt. That point was the attitude likely to be adopted by the chief exponents of Nationalist opinion towards the policy which the Mission was disposed to advise the British Government to adopt. A prospect now presented itself of clearing up this point of doubt by the Mission coming into direct contact with Zaghlul Pasha.

At the end of April, Zaghlul and the Delegation, largely through the good offices of Adly Pasha, intimated that they were now disposed to abandon their former attitude and enter into direct relations with the Mission. Accordingly during the third week in May an invitation was conveyed to them to meet the Mission in London, where they arrived on the 7th June. There were many meetings and prolonged discussions, and the visitors appeared as seriously anxious as the Mission to find a way out of the difficulties of the situation. But they were to some extent hampered—and this was specially true of Zaghlul Pasha himself—by the uncompromising line they had taken in the recent past, when they believed there was an unbridgable gulf between Egyptian aspirations and the policy of Great Britain. They had no doubt come to recognise by this time that they had misunderstood that policy, but it was not easy for them to readjust their position to suit their altered view of British intentions. Over and over again they declared it was impossible for them to accept some proposal or other made by the Mission, the fairness of which they did not directly.

dispute, because it was inconsistent with the "mandate" which they had received from the Egyptian people. It was useless to point out to them that the alleged "mandate" was really their own programme, which the Egyptian public had simply accepted from them, and that there was nothing to prevent them from modifying a policy of their own creation. The reply always was that they had no authority to depart from claims which, even if originally put forward by themselves, had been enthusiastically endorsed by a great majority of their fellow-countrymen. The war cries of the past eighteen months were, indeed, a perpetual stumbling block, and while in the course of their discussions they were often very near agreement on points of substance, it was always difficult to clothe such agreement in words which did not conflict with the formulæ to which the Egyptians felt themselves committed.

The idea of a treaty between Great Britain and Egypt was readily accepted. That was the starting-point, and without it little progress would have been made. But when it came to discussing those terms of the treaty which embodied the few, but essential, safeguards for British and foreign interests, the Egyptians were always extremely apprehensive of agreeing to something which might conflict with their ideal of independence. As a matter of fact, the proposals of the Mission did not conflict with the ideal—reasonably interpreted—as the Egyptians themselves, or at any rate some of them, were ready to admit. But there was always the fear in their minds that their countrymen would not take the same view, and that they would be regarded in Egypt as having betrayed the national cause.

In spite of these difficulties, one obstacle after

another was gradually surmounted, and finally the outlines of a settlement were drafted with which both parties were more or less satisfied. This result was only achieved by considerable concessions on the part of the Mission. In particular the Mission acquiesced in the Egyptian desire for diplomatic representation in foreign countries, which they were at first disposed to resist, because they were assured that the admission of that claim would do more than anything else to gratify popular sentiment in Egypt. This concession seemed to the Mission not too high a price to pay if it secured the cordial acceptance of the scheme as a whole by the Egyptian people. Moreover, the delegates also were ready to give up a good deal of what they had originally demanded in their anxiety to come to a good understanding with the Mission.

The compromise was one which commended itself on its merits subject to one essential condition. That condition was that Zaghlul and his associates would undertake to use all their influence to obtain its acceptance by the people of Egypt, and ultimately to get a treaty giving effect to it approved by an Egyptian Popular Assembly. This it seemed was no more than the Mission had a right to ask of them. They could not, indeed, expect them to promise that their efforts would be successful, any more than the Mission could promise that their advice would be approved by the British Government and the British people. What they did demand was that they should commit themselves to supporting wholeheartedly the result of their joint efforts; for unless they did so, it was too much to hope that the settlement would be rightly understood much less cordially welcomed, in Egypt. The British people, they believed, would be quite willing

to accord very generous terms to Egypt, but only if they were convinced that those terms would be gratefully accepted and would lead to permanently improved relations and hearty co-operation between them and the Egyptians in the future.

Zaghlul Pasha and his friends were, however, not yet prepared to commit themselves to this extent. They were evidently still nervous of being repudiated by a considerable number of their followers in Egypt. They accordingly kept on suggesting further modifications of the terms so far agreed to, on points of form, with a view to making them more acceptable to Egyptian opinion. But the Mission had gone as far as they deemed wise in the way of concession. For they, too, had to reckon with public opinion, and it was no use to agree to anything with a view to pleasing the Egyptians, which would lead to the rejection of the whole scheme in Great Britain. It seemed as though an impasse had been reached.

The Egyptian side then suggested that the discussion should be temporarily suspended in order that some of the members of the Delegation might have time to go to Egypt to explain to the public of that country the nature of the settlement which the Mission was disposed to recommend, and the great advantages which Egypt would derive from it. If, as they hoped, they met with a favourable reception, this would constitute a "mandate" from the people which would justify the Delegation, on the return of the emissaries, in pledging themselves to give the proposals of the Mission unconditional support. Zaghlul Pasha himself was not disposed to undertake the journey, but he approved of the idea, and three or four of his companions were willing to go.

The proposal had obvious advantages from the Egyptian point of view; for it would enable the emissaries to advocate the acceptance of certain terms without being absolutely committed to them, and thus running the risk of finding themselves isolated from the bulk of their party in case those terms met with an unfavourable reception. But it had advantages for the Mission also, inasmuch as the general public discussion which was bound to ensue would enable them to gauge Egyptian opinion more completely than had yet been possible, and to judge of the comparative strength of the moderate and extreme Nationalists. A memorandum was accordingly drawn up, the last of a series of efforts to reduce the results of the discussions to a definite shape, which laid down in general terms the main features of the settlement, which, on the condition already specified, the Mission would be disposed to recommend. The object of the memorandum was to enable the emissaries to elicit an expression of Egyptian public opinion. This document, which was known as the "Milner-Zaghlul Agreement," but which, on the face of it, was not an agreement, but merely an outline of the bases on which an agreement might subsequently be framed, was handed by Lord Milner to Adly Pasha, who, as an intermediary between the two parties, had had a large share in all their negotiations, to be communicated by him to Zaghlul Pasha and his friends. It was understood that they might make free use of it in public discussion in Egypt. But at the same time the Egyptians were warned that unless both parties were cordially united in supporting it, the policy suggested by the Mission could not be pursued with success.

The Memorandum stated that :

1. In order to establish the independence of Egypt on a secure and lasting basis, it was necessary that the relations between Great Britain and Egypt should be precisely defined, and the privileges and immunities now enjoyed in Egypt by the capitulatory Powers should be modified and rendered less injurious to the interests of the country.

2. These ends cannot be achieved without further negotiations between accredited representatives of the British and Egyptian Governments respectively in the one case, and the Governments of the capitulatory Powers in the other case. Such negotiations will be directed at arriving at definite agreements on the following lines :

3. (i) As between Egypt and Great Britain a Treaty will be entered into, under which Great Britain will recognise the independence of Egypt as a constitutional monarchy with representative institutions, and Egypt will confer on Great Britain such rights as are necessary to safeguard her special interests and to enable her to furnish the guarantees which must be given to foreign Powers to secure the relinquishment of their capitulatory rights.

(ii) By the same Treaty, an alliance will be concluded between Great Britain and Egypt, by which Great Britain will undertake to support Egypt in defending the integrity of her territory, and Egypt will undertake, in case of war, even when the integrity of Egypt is not affected, to render to Great Britain all the assistance in her power, within her own borders, including the use of her harbours, aerodromes, and means of communication for military purposes. This Treaty will embody stipulations to the following effect :

(a) Egypt will enjoy the right to representation in foreign countries. In the absence of any duly accredited representative, the Egyptian Government will confide its interests to the care of the British representative. Egypt will undertake not to adopt in foreign countries an attitude which is inconsistent with the alliance or will create difficulties for Great Britain, and will also undertake not to enter into any agreement with a foreign Power which is prejudicial to British interests.

(b) Egypt will confer on Great Britain the right to maintain a military force on Egyptian soil for the protection of her Imperial communications. The Treaty will fix the place where the force shall be quartered, and will regulate any subsidiary matters which require to be arranged. The presence of this force shall not constitute in any manner a military occupation of the country, or prejudice the rights of the Government of Egypt.

(c) Egypt will appoint, in concurrence with His Majesty's Government, a Financial Adviser, to whom shall be entrusted in due course the powers at present exercised by the Commissioners of the Debt, and who will be at the disposal of the Egyptian Government for all other matters on which they may desire to consult him.

(d) Egypt will appoint, in concurrence with His Majesty's Government, an official in the Ministry of Justice, who shall enjoy the right of access to the Minister. He shall be kept fully informed on all matters connected with the administration of the law as affecting foreigners, and will also be at the disposal of



the Egyptian Government for consultation on any matter connected with the efficient maintenance of law and order.

(e) In view of the contemplated transfer to His Majesty's Government of the rights hitherto exercised under the régime of the Capitulations by the various foreign Governments, Egypt recognises the right of Great Britain to intervene, through her representative in Egypt, to prevent the application to foreigners of any Egyptian law now requiring foreign consent, and Great Britain on her side undertakes not to exercise this right except in the case of laws operating inequitably against foreigners.

Alternative :

In view of the contemplated transfer to His Majesty's Government of the rights hitherto exercised under the régime of the Capitulations by the various foreign Governments, Egypt recognises the right of Great Britain to intervene, through her representative in Egypt, to prevent the application to foreigners of any Egyptian law now requiring foreign consent, and Great Britain on her side undertakes not to exercise this right except in the case of laws inequitably discriminating against foreigners in the matter of taxation, or inconsistent with the principles of legislation common to all the capitulatory Powers.

(f) On account of the special relations between Great Britain and Egypt created by the Alliance, the British representative will be accorded an exceptional position in Egypt, and will be entitled to precedence over all other representatives.

(g) The engagements of British and other

foreign officers and administrative officials who entered into the service of the Egyptian Government before the coming into force of the Treaty may be terminated, at the instance of either the officials themselves or the Egyptian Government, at any time within two years after the coming into force of the Treaty. The pension or compensation to be accorded to officials retiring under this provision, in addition to that provided by the existing law, shall be determined by the Treaty. In cases where no advantage is taken of this arrangement existing terms will remain unaffected.

5. This Treaty will be submitted to the approval of a Constituent Assembly, but it will not come into force until after the agreements with the foreign Powers for the closing of their Consular Courts and the decrees for the reorganisation of the Mixed Tribunals have come into operation.

6. This Constituent Assembly will also be charged with the duty of framing a new Organic Statute, in accordance with the provisions of which the Government of Egypt will in future be conducted. This Statute will embody provisions for the Ministers being responsible to the Legislature. It will also provide for religious toleration for all persons and for the due protection of the rights of foreigners.

7. The necessary modifications in the régime of the Capitulations will be secured by agreements to be concluded by Great Britain with the various capitulatory Powers. These agreements will provide for the closing of the foreign Consular Courts, so as to render possible the reorganisation and extension of the jurisdiction of the Mixed Tribunals and the application to all foreigners in Egypt of the

legislation (including legislation imposing taxation) enacted by the Egyptian Legislature.

8. These agreements will provide for the transfer to His Majesty's Government of the rights previously exercised under the régime of the Capitulations by the various foreign Governments. They will also contain stipulations to the following effect :

(a) No attempt will be made to discriminate against the nationals of a Power which agrees to close its Consular Courts, and such nationals shall enjoy in Egypt the same treatment as British subjects.

(b) The Egyptian nationality law will be founded on the *Jus sanguinis*, so that the children born in Egypt of a foreigner will enjoy the nationality of their father, and will not be claimed as Egyptian subjects.

(c) Consular officers of the foreign Powers shall be accorded in Egypt the same status as foreign Consuls enjoy in England.

(d) Existing Treaties and Conventions to which Egypt is a party on matters of commerce and navigation, including postal and telegraphic conventions, will remain in force. Pending the conclusion of special agreements to which she is a party, Egypt will apply the Treaties in force between Great Britain and the foreign Powers concerned on questions affected by the closing of the Consular Courts, such as extradition treaties, treaties for the surrender of seamen deserters, etc., as also treaties of a political nature, whether multilateral or bilateral, e.g. arbitration conventions and the various conventions relating to the conduct of hostilities.

(e) The liberty to maintain schools and to

teach the language of the foreign country concerned will be guaranteed, provided that such schools are subject in all respects to the laws applicable generally to European schools in Egypt.

(f) The liberty to maintain and organise religious and charitable foundations, such as hospitals, etc., will also be guaranteed. The Treaties will also provide for the necessary changes in the Commission of the Debt and the elimination of the international element in the Alexandria Board of Health.

(g) The legislation necessary by the aforesaid agreements between Great Britain and the foreign Powers will be effected by decrees to be issued by the Egyptian Government.

A decree shall be enacted at the same time validating all measures, legislative, administrative, or judicial, taken under Martial Law.

(io) The decrees for the reorganisation of the Mixed Tribunals will provide for conferring upon these tribunals all jurisdiction hitherto exercised by the foreign Consular Courts, while leaving the jurisdiction of the Native Courts untouched.

(11) After the coming into force of the Treaty referred to in Article 3, Great Britain will communicate its terms to foreign Powers, and will support an application by Egypt for admission as a member of the League of Nations.

In his letter to Adly Pasha of the 18th August, 1920, Lord Milner, in enclosing the memorandum, distinctly stated that it had no application to the Sudan, but that the Mission fully realised the vital interest of Egypt in the supply of water reaching her through the Sudan, and said that it intended to make proposals calculated to remove any anxiety

which Egypt might feel as to the adequacy of that supply both for her actual and prospective needs.

At the close of the discussion, which resulted in the memorandum of the 18th August, four of the Delegation proceeded immediately to Egypt in accordance with the understanding previously referred to to enlist the support of their countrymen for the scheme outlined in the memorandum. The substance of that document, with certain inaccuracies of details, had meanwhile found its way into the Press, and been received in Egypt with expressions of approval.

About the same time publicity was given in Egypt to a long manifesto from Zaghlul Pasha, in which he emphasised the representative character of the Delegation and the support which it had received from the nation. He referred to the endeavours made by the Delegation to submit the Egyptian case to the Peace Conference and to the world at large, claiming that a considerable amount of sympathy had been gained in foreign countries. He went on to speak of the appointment of the Special Mission and the obstacle to any direct contact with its members presented by insistence on the Protectorate, the steps which had eventually led to the visit of the Egyptian Delegates to London, and the discussions which had taken place there. This document concluded by announcing that the proposals which had resulted from these discussions would now be submitted by emissaries appointed for the purpose, and, should the project be favourably received, representatives would then be nominated to negotiate a treaty on the basis suggested.

The inconclusive character of this message appears to have somewhat damped the enthusiasm with which

the local committee in Cairo had, in the first instance, greeted the announcement of a settlement. Though a general approval was recorded, further interpretation of certain particular points was invited, and the hope was expressed that the Delegation would on its return to London obtain definite assurances on these points. The most important of these was the universal desire for some definite indication that the Protectorate would cease to exist with the conclusion of the Treaty of Alliance.

The emissaries returned from Egypt early in October, and at the end of that month the Delegation once more returned to London and had two more meetings with the Mission. The Egyptians raised so many points that it soon became evident to the Mission that if all these matters had to be gone into the whole of the discussion would have to be reopened. It was pointed out to the Delegation that any agreement arrived at could not be final, and that the points brought forward could all be raised in the official negotiations. This argument was beyond the scope of Egyptian mentality, and Zaghlul, when urged later in Paris by some of the more enlightened members of his party to accept the Milner scheme as a basis for agreement, said, "I cannot betray my people."

If the Milner Mission served any purpose at all for the moment, it proved conclusively that it is impossible to negotiate with Egyptians. Lord Cromer once told me that he wished to introduce some reforms into the Azhar University, and for that purpose he got a high Mohammedan religious dignitary from India to explain what he wished done. This gentleman found them most reasonable, and they agreed with everything he said; then suddenly they went off at a tangent, just in the same way that

the Delegation did with the Milner Mission, and he had to give it up. Lord Cromer said to me, "They were a lot of muddle-headed duffers." I think he would have said the same of the Delegation. On the 9th May, 1921, Lord Milner wrote to me, "I am watching with some anxiety the development of political affairs in Egypt. If Zaghlul succeeds in upsetting the apple-cart, he will have spoilt the best chance there ever has been of getting the relations between Great Britain and Egypt on to a permanently satisfactory footing." I fully concur with what Milner said, and if ever the Egyptians are fortunate enough to get a practical independence with security for the natives from outside aggression and the foreigner from inside oppression, it will be when the Milner scheme is adopted in its entirety.

## CHAPTER XXII

### THE DECLARATION OF EGYPT'S INDEPENDENCE

WE must now turn to see what was happening in Egypt. On the 10th March, 1920, fifty members of the Legislative Assembly met at the house of Zaghlul Pasha in Cairo to protest against the suspension of the Assembly and against the British Protectorate, and incidentally they proclaimed the independence of Egypt and the Sudan. On the 17th March there was rioting in Alexandria and disturbances during the recruiting. On the 22nd April a certain Sheikh, Mohamad Ibrahim Sulieman, was arrested for a political speech in which he accused the British of complicity in the collision of the Trieste-Vienna express, in which twelve Egyptian students were killed. He said the British caused the points to be opened, as they did not want the students to go to Germany to be educated. On the 3rd May two British officers were wounded in the Shubra quarter and on the 7th a British officer was shot. On the 8th May the murder campaign was renewed on Ministers and British officers by the Black Hand Society.

On the 19th May the Prime Minister, Youssef Pasha Wahba, resigned, and Tewfik Pasha Nessim became Premier, and by way of welcome a bomb was thrown at him on the 12th June. He was at one time one of my junior colleagues in the Court of Appeal, where he appeared to take no interest in politics. He apparently went straight from his house to the Court, and after his work was finished he returned to his house. He is a Turk from Laz



and has no Egyptian blood. As a Judge he was painstaking and hardworking, but he always wrote his judgments before he heard the case, and when he was right they were wearisomely long. As Prime Minister he was not popular, and after his resignation about ten months later he was really in danger of his life. His house was surrounded, stones were thrown at the windows, and a small donkey was put in front of the house with some *berseem* (clover) before it, and the mob shouted, "*Tewfik Nessim akl al-berseem*" (Tewfik Nessim ate berseem). Not very complimentary! But in Egypt there are always ways of arranging things, and he is now head of the King's private Cabinet, and His Majesty is reported to have said of him that he was the only person who ever told him the truth.

Egypt had as usual been fairly quiet during the summer. Most of the active politicians were in Europe, spending on matters other than political the enormous profits they had made out of their cotton during the war and as much of the money as had been collected for patriotic purposes as could be squeezed out of Zaghlul.

On the 22nd February, 1921, the judgment in the Society of Vengeance case was promulgated. It began on the 1st July, 1920, and terminated on the 5th October. Seven of the prisoners, including Abd-al-Rahman Bey Fehmy, were sentenced to death, and sixteen others to various terms of penal servitude. Needless to say, under Allenby's régime, none of them were hanged and there is not a single member of the gang who has not been a free man for many years past.

On the 16th March Adly Pasha became Prime Minister. There was the usual rejoicing, and the trams were decorated with palm branches and

flags. One of my native acquaintances at the Mohamad Ali Club assured me that the only redeeming feature in the Cabinet was the respectability of Adly. On the 4th April Zaghlul Pasha arrived at Alexandria from Europe, and at a banquet given in his honour there on the evening of his arrival, he made a speech in which he repudiated the Milner agreement, which he said meant a Protectorate, thereby proving the absolute insincerity of his attitude throughout the negotiations. On the morning of the 5th he left for Cairo, and the whole of the railway track between Alexandria and Cairo, a distance of 120 miles, was lined on both sides by an enthusiastic and yelling mob. As the train slowed down to pass the smaller stations, men threw themselves on the line in front of the engine to stop the train in order to catch a glimpse of their hero. Never I should say in the history of the world has any man been accorded such a welcome, and most of it was spontaneous. In Cairo it was just the same. Yet the man had accomplished nothing, though I believe that most of those who welcomed him thought he had the Constitution in his pocket. It was all very flattering to his vanity and soothing to his pride, and impelled him to be grossly rude and discourteous to his Sovereign. On the 6th April he visited the martyrs' graves, that is, those who had been killed in taking life and destroying property, called them "innocent souls," and said he would meet them in heaven. What will a politician not promise? On the 27th April he characterised Adly's Cabinet as essentially a British creation, and declared that the Egyptian Delegation alone represented the country. This declaration and his subsequent disagreement with the Cabinet was the cause of demonstrations on

the 18th May by bootblacks, out-of-work Berberins, and the riff-raff of Cairo, led by students in Zaghlul's pay. The fanatical, anti-Christian, and anti-European riots began at Alexandria on the 20th May, fourteen Europeans being killed and sixty-nine wounded. One Italian was burnt alive, and there was some evidence to show that the mob tried to burn the corpse of a Greek. Amongst the wounded was Judge Hanssen, the Norwegian Judge in the Mixed Court of Appeal, who was savagely attacked on his way to Court and narrowly escaped with his life.

The town was left by the Special High Commissioner, Lord Allenby, in the hands of the mob for several days in spite of the strong representations made by the Consuls of the Allied Powers. Although he had repeatedly told Egyptian delegations on other matters that his mission was to maintain order, he showed very little desire to carry out that mission when an opportunity occurred which was really worth while. It was a disgraceful business, and very nearly eventuated in a landing from French and Italian warships. The Egyptian police were worse than useless. Such men as Prince Omar Toussoon, Mohamad Pasha Saïd and Mazloom Pasha made no effort to quell the mob, which originally marched from Ramleh, where all these gentlemen lived. At length Allenby was roused, and a British regiment soon restored order. It is a striking fact that on every occasion since the Egyptians have acquired control of their own affairs, they have never been able to maintain law and order without the assistance of British troops. The Government of Egypt was and is entirely dependent on our force of arms. This was deemed a fitting occasion for His Majesty's Government to offer their friendship and await the response of Egypt.

One would have thought they already had the response without waiting. His Majesty's Government thought this a suitable opportunity for expressing their complete confidence in Lord Allenby.

Soon after the formation of the Adly Ministry, the question arose of forming a delegation to go to London to reopen negotiations with the British Government. Zaghlul said he must be President of the Delegation, and that a majority of the delegates must be chosen from members of his own Delegation. This neither the pride nor the dignity of Adly could consent to, and it was formed of Adly, Prime Minister, Rushdy, Vice-President of the Council of Ministers, Ismail Sidky, Finance Minister, Mohamad Shafik, Public Works, Ahmed Talaat, President of the Court of Appeal, and Youssef Sulieman, a Copt, formerly on the Bench of the Court of Appeal, and an ex-Minister. The answer of the mob was "Long live Saad. No President of the negotiations but Saad. Saad has our confidence. Down with the Government," and riots in Cairo and Alexandria. Out of a total population of about 14,000,000, over 17,500,000 signatures purporting to be those of adult males were affixed to a declaration of lack of confidence in the Ministry! The Egyptian is never moderate.

Shafik did not like hotels, and wanted some rooms in Half Moon Street. As these were not available, he was offered rooms in Curzon Street. The very name was too much for him, and he categorically refused even to go and see them. A good deal of hospitality was offered to the Egyptians, but they were difficult people to entertain in a country house. They missed their coffee cups and the marble-topped tables of the Paris boulevards.

Adly failed in his mission to London. In spite

of Mr. Lloyd George asking him to breakfast, staging the furniture, and telling him that one of the empty chairs would be his in the Council of the Empire, Adly proved just as intractable as Zaghlul when he found himself confronted with having to make a decision and accept responsibility. In the end to escape the effort of talking—he is a silent man—he put forward the Sudan, which hitherto had not been mentioned, as an absolutely essential condition to any arrangement. That, of course, broke off the negotiations. Adly returned to Egypt at the end of November, and resigned the Premiership on the 9th December.

During Adly's absence in London, Sarwat Pasha, the Minister of the Interior, was acting Prime Minister, and he was getting Zaghlul and his followers well in hand. On the 17th October, he prevented him from landing from his steamer at Assiut, in which he had gone to rouse the turbulent instincts of the people of Upper Egypt. This was the first check to Zaghlulism, and Zaghlul's influence began to wane. He still continued to try to cause trouble, and he and eight of his supporters were, on the 22nd December, ordered to leave Cairo and live on their estates and cease their political activities. It was a foolish order, but quite in accord with Lord Allenby's policy. Zaghlul had no alternative but disobedience. His vanity forbade him sacrificing his political position, and he preferred exile in the Seychelles. He and his companions were sent to the British military camp at Suez, and while there it was said that he drank up all the champagne in the mess and won all the officers' money at poker. They must have been very bad players. There were some riots in Cairo, and British troops took over the city. Sabotage and hooliganism occurred in Alexandria, but

a mountain was made out of a molehill, and Zaghlul's deportation gave rise to no really serious anxiety.

On the 17th November, 1921, Lord Allenby cabled to Lord Curzon that his advisers said that no decision which did not admit the principle of Egyptian independence and which maintained a Protectorate must entail a serious risk of a revolution throughout the country. This telegram produced the following reply from Lord Curzon :

“ In view of the fact that you were present at the meetings of the Cabinet when the terms to be offered to Adly Pasha were decided, we cannot help feeling rather surprised that you failed to point out to the advisers that they were proceeding in total ignorance of the true position when in their memorandum they described the decision of His Majesty's Government as maintaining the Protectorate and as refusing to accept the principle of Egyptian independence. This error renders their argument to a large extent unsound.”

On the 3rd December, Lord Allenby was instructed to make the following communication, which was in accordance with the best traditions of the Foreign Office, to His Highness the Sultan :

“ YOUR HIGHNESS,

“ I have the honour, in accordance with instructions received from His Majesty's Government, to place before your Highness the following statement of their views in connection with the negotiations that have recently taken place with the Delegation despatched by your Highness under the Presidency of his Excellency Adly Pasha. His Majesty's Government have presented to Adly Pasha the draft proposals for a treaty between the British Empire and Egypt which they were prepared to recommend to His Majesty the King and to Parliament, and have learnt with keen dis-

appointment that these are not acceptable to him. They regret it the more because they regarded their proposals as liberal in character and far-reaching in effect, and because they cannot hold out any prospect of reconsideration of the principle on which they are framed. It is therefore proper that they should acquaint your Highness fully with the main considerations by which they were guided and with the spirit in which their proposals were made.

“ One dominant fact has governed the association of Great Britain and Egypt for forty years and must always govern it—namely, the close coincidence between Great Britain’s interests in Egypt and the interests of Egypt herself. The independence and the prosperity of the Egyptian people are both of great importance to the British Empire. Egypt lies upon the main line of communications between Great Britain and the King’s dominions to the east. The whole territory of Egypt is indeed essential to those communications, since the fortunes of Egypt are inseparable from the security of the Suez Canal zone. The immunity of Egypt from the dominant influence of any other Great Power is therefore of primary importance to India, Australia, New Zealand and all His Majesty’s Eastern colonies and dependencies ; it affects the welfare and safety of nearly 350,000,000 of His Majesty’s subjects. The prosperity of Egypt is also important to them, not merely because Great Britain and Egypt are each other’s best customers, but because any serious danger to financial or commercial interests in Egypt invites the intervention of other Powers and threatens her independence. These have been the governing motives of British association with Egypt, and they are as powerful now as in the past. The general success of that association during the generation which preceded the war was universally recognised. When Great Britain first began to take an active

interest in Egypt, the Egyptian people were a prey to financial chaos and administrative anarchy. They were at the mercy of every comer, and could not have resisted those fatal forms of foreign exploitation which undermine a nation's self-respect and destroy its fibre. If the Egyptian people are a vigorous and self-respecting nation to-day they owe that recovery largely to British assistance and advice. They have been secured against foreign intervention; they have been helped to create an efficient system of administration; large numbers of them have been trained in the arts of government; their power has steadily grown; their finances have prospered beyond all expectation; the welfare of all classes has been laid on firm foundations. There has been no shadow of exploitation in this rapid development. Great Britain has sought for herself no financial gain or commercial privilege. The Egyptian nation has garnered all the fruits of her counsel and help.

“The outbreak of war between the great European Powers in 1914 made the association between the British Empire and Egypt of necessity more close. When the Ottoman Empire joined the side of Germany, not only Britain's communications but Egypt's independence were forthwith jeopardised. The declaration of the Protectorate was a recognition of the fact that only by common action under a single command could the common menace to the Empire and to Egypt be effectively repelled. In the extension of the war brought about by Turkey, many thousands of the King's subjects from India, Australia and New Zealand as well as from Great Britain were maimed or killed. Their graves in Gallipoli, Palestine and Irak stand as witness of the great effort which Turkish intervention cost the British Commonwealth. Covered by their ranks, Egypt passed scathless through that period of ordeal. Her losses were inconsiderable; her debt was not increased; her wealth is now greater than



before the war ; whilst economic paralysis lies heavy on other lands. It is not wise for her people to overlook these facts or forget to whom they are owed. But for the power exerted by the British Empire in the war, Egypt must have become a field of action between contending forces, which would have trampled on her rights and destroyed her prosperity. But for the victory of the Allies, she would not now be a nation claiming sovereign national status in lieu of the protectorate of a foreign Power. The freedom which she now enjoys and the prospect of the higher freedom to which she aspires she owes alike to British statesmanship and British arms.

“ His Majesty’s Government are convinced that the close coincidence of interests between Great Britain and Egypt which has made their association so beneficial in the past is the key to the relationship which they should still maintain. Now, as in the past, the British Empire has to shoulder ultimate responsibility for the defence of your Highness’s territories against external menace, as also for such assistance as your Highness’s Government may at any time request in the maintenance of your authority at home. It must claim, moreover, the exclusive right of tendering such advice as your Highness’s Government may require in the administration of the country, the conduct of its finances, the development of its judicial system, and the pursuance of its relations with foreign Governments. These claims are not, however, asserted with any desire to derogate from Egypt’s enjoyment of the full rights of national self-government. They are pressed only as against other foreign Powers ; and they are based upon the fact that the independence, good order and prosperity of Egypt are an essential element in the safety of the British Empire. His Majesty’s Government regret that throughout the negotiations your Highness’s Delegation made little practical advance towards recognition

of the British Empire's just title to these exclusive rights and responsibilities.

"The treaty provisions which His Majesty's Government consider necessary to maintain these rights and cover these responsibilities were formulated in the draft proposals which Adly Pasha will communicate to your Highness. Of these the most essential are those relating to British troops. His Majesty's Government gave most careful consideration to the arguments advanced by the Egyptian Delegation on this subject, and were unable to accept them. Neither the present condition of the world nor the course of events in Egypt since the Armistice permits of any modification at this time in the disposition of the British forces. Egypt, it is necessary to repeat, is a part of the Empire's communications. Scarcely a generation has passed since she was rescued from anarchy, and there are signs that the extremer elements in the nationalist movement are even now capable of plunging her back into the abyss from which she has so recently been raised. The anxiety of His Majesty's Government has been aggravated by the unwillingness of your Highness's Delegation to recognise that the British Empire must have firm guarantees against any such menace to its interests. Until such time as Egypt's records give confidence in her own guarantees, the British Empire must maintain sufficient guarantees itself. Of these the presence of British troops in Egypt is the first and foremost. His Majesty's Government cannot waive or weaken it.

"They repeat, however, with emphasis that their claims in this respect are not intended to involve the continuance of an actual or virtual Protectorate. On the contrary, the ideal which they have sincerely at heart is that of an Egypt enjoying the national prerogatives and international position of an independent state, but closely wedded to the British Empire by a treaty guarantee of common aims and interests. With this end in view, they proposed to

terminate the Protectorate forthwith, to recognise Egypt as 'a Sovereign State under a constitutional monarchy,' and to substitute for the present relation between the Empire and Egypt 'a perpetual treaty and bond of peace, amity and alliance.' Their hope was that Egypt, with a reconstituted Ministry of Foreign Affairs, would at once have despatched her own representatives to foreign Courts; and they would have readily supported an application on her part for admission to the League of Nations. The Egyptian nation would thus have secured at once the powers and privileges of a sovereign state.

"The rejection of these proposals by your Highness's existing Government creates a new situation. It will not affect the principle of British policy, but it necessarily reduces the measures which can now be carried out. His Majesty's Government therefore desire to state clearly where they stand.

"With regard to the immediate present, they cannot give effect to their proposals without the consent and co-operation of the Egyptian nation; but they maintain the desire which they have long entertained, to provide for the ever-advancing development of native talent by an increase of the number of Egyptians employed in every branch, and notably, in the higher branches of the Administration, hitherto too extensively filled by Europeans. They are willing to pursue, in consultation with your Highness's Government, the negotiations in foreign Courts necessary for the abolition of the Capitulations, so that the international situation may be clear when the Egyptian legislation necessary to take the place of the Capitulations is ready to be passed. They would wish that the powers now exercised by the Commander-in-Chief under martial law should be exercised only under the Egyptian civil law by the Egyptian Government, and they will gladly withdraw martial law as soon as the

Act of Indemnity, which is indispensable for the protection of that Government as well as of the British authorities in Egypt, has been enacted and become operative in all the civil and criminal Courts in Egypt.

“ With regard to the future, His Majesty's Government desire to state in plain terms the policy which they intend to pursue. They understand that the proposals presented to your Highness's Delegation were rejected on the ground that the safeguards for British and foreign interests would be fatal to the genuine exercise of self-government. They deeply regret that the maintenance of British troops in Egypt and the association of British officials in the Ministries of Justice and Finance should be so gravely misunderstood. The progress of Egypt towards her ideals will not only be retarded, but completely jeopardised, if her people are tempted to indulge their national aspirations, however sound and legitimate in themselves, without sufficient regard to the facts which govern international life. Nothing is gained by minimising national obligations and exaggerating national rights. Extremist leaders who preach in this vein are not a stimulus but a menace to Egyptian development. By their influence on the course of events, they have repeatedly challenged the interests and provoked the fears of foreign Powers ; and they have sought to affect the outcome of these negotiations during the past few weeks by subversive appeals to popular ignorance and passion. His Majesty's Government do not consider that they would be consulting Egypt's welfare by making concessions to agitation of this kind : and Egypt will make no progress until her responsible leaders show the will and strength to put it down. The world is suffering in many places at the present time from the cult of a fanatical and purely disruptive type of nationalism. His Majesty's Government will set their face against it as firmly in Egypt as elsewhere.

Those who yield to it only make more necessary and so prolong the maintenance of those foreign sanctions which they denounce.

“In these conditions, for Egypt’s interest as much as for their own, His Majesty’s Government will continue unshaken in their aims as Egypt’s advisers and trustees. It is not sufficient for them to know that they could exercise the right of re-entry into Egypt, if, left to her own unaided counsels, she should revert to the waste and disorder of the last century. They desire to see the work of Lord Cromer’s generation completed, not recommenced. They do not aim at keeping Egypt in tutelage. On the contrary, they desire to fortify the constructive elements in Egyptian nationalism, to give them scope, and to bring nearer the full attainment of the national ideal. They must insist on effective rights and powers to safeguard both Egypt’s interests and their own until the Egyptian people have shown the capacity themselves to preserve their country from internal disorder and its inevitable corollary, the intervention of foreign Powers.

“The true line of advance for the Egyptian people is by co-operation with the British Empire, and not by antagonism to it. In this spirit of co-operation His Majesty’s Government on their side are prepared to consider any methods which may be suggested for carrying out the substance of their proposals, whenever your Highness’s Government may so desire. They cannot, however, modify the principle on which their proposals are based or relax the essential safeguards which they contain. The future of Egypt under these proposals would be in Egypt’s own hands. The more clearly your people recognise the identity of British interests with their own, the less necessary will safeguards become. It is for the responsible leaders of Egypt, in this second generation of her association with Great Britain, to prove by the steady use

of the national status now open to them that the vital interests of the Empire in their country may be progressively entrusted to their care.

" I am,

" Your Highness's, etc.,

" ALLENBY, F. M."

The Curzon scheme, which was handed by Lord Curzon to Adly Pasha on the 10th November, 1921, comprised the termination of the Protectorate, the conduct of foreign relations, military dispositions, employment of foreign officers or officials, financial administration, judicial administration, the Sudan, the tribute loans, retirement and compensation of officials, and the protection of minorities. This, coupled with the explanatory letter to the Sultan of the 3rd December, enunciated a policy of reasonable concession with firm resistance to extremism, which policy had been steadily advocated by the majority of persons in Egypt having any knowledge of the subject.

Its principal merit was to declare in plain language to what extent the British Government intended to maintain its hold over Egypt, and the language employed was intended to leave no doubt in the minds of the public as to the policy definitely adopted. It produced an excellent effect. Some little opposition and trouble had to be expected, but anything like the trouble foretold by quasi-authorities on the Egyptian question showed no signs of coming to the surface. It was then that a line of policy taken by certain organs of the home Press, which showed nervousness, did to some extent minimise the excellent effect produced. But though the extremists were angry, the great majority, which comprises the would-be moderates, were gradually rallying under the influence of successive measures showing the Government's intention to

govern. It was generally expected, in the unlikely event of the Egyptians forming a Ministry, the British authorities would continue to take measures for the administration of the country without native Ministers, and a few more weeks of this régime would have gradually brought a state of calm and sober-minded reasonableness in the masses. The hesitating majority, at last convinced on which side lay authority, would have taken heart of grace and openly shown their acquiescence at least. There were signs that this state of mind was being more rapidly attained than had been expected. For some reason supreme importance seemed to be attached to the formation of a Cabinet with a hurried chase after an Egyptian Ministry, thereby risking the loss of all the advantages which had gradually become more noticeable as a result of the firm policy adopted.

There was good reason to think that there were certain ex-Ministers who were quite prepared to form a Ministry unconditionally. But Sarwat Pasha was considered by both the Palace and the Residency to be the only possible candidate. It is always possible to obtain Ministers in Egypt in any circumstances. They may appear coy about accepting office, but salary, power, and the chance of providing well-paid posts for their relatives and friends always in the end proves too much for them. I remember an ex-Minister once saying to me when a Cabinet was in process of formation, "They say I ought to be made a Minister because I have no relatives."

Sarwat was by no means anxious to be made Premier. He felt that he would be between the hammer and the anvil, but he wanted to pose as a patriot. So he delivered an ultimatum to Lord Allenby, which was embodied in the famous Declaration of the 28th February, 1922. Never was a man

so astonished as he when his conditions were accepted. This acceptance involved substantially an abandonment of the position taken by the Foreign Office in the Curzon Scheme, and this in return for a mere acceptance of office by Sarwat Pasha, with no corresponding undertaking by him for himself, the Egyptian Government, or the Egyptian people. In other words, though the Foreign Office had declared that concessions would be made only if accepted by the Egyptians, the Sarwat ultimatum had obtained concessions without acceptance, and would result in more being asked for. The first outcome would be that nothing in the nature of a permanent settlement could be arrived at by such a breach in the definiteness of the statement of policy by the Foreign Office. The formation of a Ministry was obtained at a fatal sacrifice of principle as originally laid down in the letter to the Sultan. On the top of all this came the official *communiqué* published by the Foreign Office on the 30th January, which was locally considered as apologetic in tone, and interpreted as a partial climb down. Then came the sudden release of the Wafd members who had been arrested for publishing a manifesto which was a direct challenge to Lord Allenby's authority.

During the whole of January 1922 Allenby had been infecting Lord Curzon with his timidity, with the result that he was instructed to proceed to London, where he arrived on the 8th February, accompanied by two of the most specious and at the same time the most timorous members of his "Kindergarten." The firm and reassuring Declaration in December, setting forth the facts of the position in Egypt, acknowledging Great Britain's responsibilities there, and asserting the intention to



sustain them, was torn to pieces, and the following substituted in its stead :

“ Whereas His Majesty’s Government, in accordance with their declared intentions, desire to recognise Egypt as an independent sovereign State ; and

“ Whereas the relations between His Majesty’s Government and Egypt are of vital interest to the British Empire.

“ The following principles are hereby declared :

“ 1. The British Protectorate over Egypt is terminated, and Egypt is declared to be an independent sovereign state.

“ 2. So soon as the Government of His Highness shall pass an Act of Indemnity with application to all inhabitants of Egypt, martial law as proclaimed on the 2nd November, 1914, shall be withdrawn.

“ 3. The following matters are absolutely reserved to the discretion of His Majesty’s Government until such time as it may be possible by free discussion and friendly accommodation on both sides to conclude agreements in regard thereto between His Majesty’s Government and the Government of Egypt :

“ (a) The security of the communications of the British Empire in Egypt.

“ (b) The defence of Egypt against all foreign aggression or interference, direct or indirect.

“ (c) The protection of foreign interests in Egypt and the protection of minorities.

“ (d) The Sudan.

“ Pending the conclusion of such agreements, the *status quo* in all these matters shall remain intact.”

The day following its publication Sarwat Pasha formed a Cabinet. His first utterance after taking office was : “ We have secured the abolition of the Protectorate and we have not promised anything in return.”

England had undertaken duty without dominion.

## CHAPTER XXIII

### THE KILLING OF ENGLISHMEN

WHILE the British Cabinet, urged on by Lord Allenby, had come to the conclusion that the Egyptian situation had never been properly understood in London, the terrorist gang in Egypt was continuing its work of killing Englishmen. Mr. Hatton, a locomotive superintendent, had already been murdered. On the 18th February, 1922, Mr. Aldred Brown, Controller-General of the Central Administration of the Ministry of Education, was murdered in one of the principal streets of Cairo in broad daylight. On the same day, Mr. Charles Peach, of the Railway Administration, was shot and so severely wounded that he had to retire from the service. Mackintosh Bey, of the same Administration, was shot at, but he carried a revolver, and was able to put his assailants to flight. Then followed the murders of Major Cave, of the police, and Dr. Robson, one of the Professors at the School of Law. Mr. T. Brown, of the Ministry of Agriculture, and his family were also shot at as they were driving to Cairo station to go on leave; the native servant was killed, and the other members of the party, including the governess, were wounded. On the 15th July Lieut.-Colonel A. F. H. Pigott, of the Command Pay, was shot and very badly wounded in the abdomen in broad daylight, also in one of the principal streets of Cairo. This made the sixteenth outrage since 1921. All these murders and attempted murders were committed with the

utmost effrontery. The murderers made little or no attempt at concealment, and the fact that there were people in the street who witnessed the deeds did not in the least deter them. There can be little doubt that they were only the instruments of others occupying a much higher position than themselves. The most important among them was Shafik Mansoor, who was a lawyer by profession, but a murderer by predilection. It was proved at his trial that he was one of those who had been implicated years before in the murder of Butros Pasha Ghali, the Coptic Prime Minister, and also in the more recent attempt on the life of the Sultan Hussein. It is incredible that he acted on his own initiative and that he was not instigated by others of greater social position, who thought the murder of a few very inoffensive Englishmen, who had never done any harm to any Egyptian, and had no connection whatever with politics of any sort, would prove to the world that Egypt was fit to be a self-governing nation. Perhaps the British policy gave them some foundation for their belief.

On the 16th March, 1922, the Sultan Fuad was proclaimed King of Egypt. During the Cairo celebration of this event the Egyptian Army showed a lamentable lack of discipline, and Russell Pasha had to come to their assistance with his police. Then a Commission was formed to draft a Constitution. Sarwat, though he had achieved the abolition of the Protectorate and the Declaration of the Independence of Egypt, soon lost his popularity, and his influence began to wane. His Ministry only lasted nine months. Newly liberated peoples are always grasping and never grateful, whether to their own people or to the stranger who has given them their liberty. He was succeeded

as Prime Minister for five weeks by Tewfik Nessim. On the 28th January, 1923, the political situation in Cairo again became acute owing to the draft Constitution still awaiting the King's signature. It provided that the King should be entitled "King of Egypt and the Sudan." This created an awkward situation, which was settled on the 5th February by the presentation of a strong British Note. The Cabinet then offered its resignation, which was accepted.

During 1922 the murders of inoffensive Englishmen had been so sustained and frequent that it was felt by the British community that something must be done. Under the auspices of the British Union in Egypt and the British Officials' Association, a meeting with Mr. H. B. Farnall, the British member of the Caisse de la Dette, in the chair, was held at Shephard's Hotel on the 2nd January, 1923, at which 1,500 members of the British community were present.

Here I must say something of the British Union, which replaced "the Council representing the Non-Official British Community" founded in March 1919, when disorders were so serious that public services were suspended throughout the country for a considerable time. It was formed at a large meeting in Cairo on the 20th April, 1921. Mr. W. E. Kingsford was its first president, and such was the merited confidence felt in him by his fellow-members that he retained the position until he severed his connection with the country in January 1926, when Mr. R. C. Beasley was elected president. The Union is not in any way aggressive, and has always been ready to place the knowledge and experience of its members at the service of the High Commissioner, and the members of its com-

mittee have done a lot of quiet, unostentatious, good work. Mr. Reginald Silley, a leading English barrister, who is now its vice-president, has always been a very forceful personality in the councils of the Union owing to his great knowledge of Eastern psychology and his sterling honesty of purpose. The Union commands the support of the whole British community.

The meeting at Shephard's began with a motion asking whether sufficient measures had been taken by the authorities to afford adequate protection for the lives of British subjects. Mr. Moriarty, an English barrister practising in Cairo, got up and very cleverly proposed an amendment to the effect that the original motion cast a reflection on Lord Allenby, and should be so worded as to show that the meeting had every confidence in him. It sounded from his remarks that he was very solicitous that no blame should be imputed to the High Commissioner, but what he really sought for was a direct issue and a vote of censure. No one of course would second the amendment, and there was an awkward pause. Mr. Farnall said that it was usual when an amendment was put which was not seconded that the chairman should do so. The amendment was then put and unanimously rejected. A number of people spoke, but perhaps the most effective speakers were Mr. Malcolm, of the Agricultural Bank, a brother of Sir Ian Malcolm, of the Suez Canal Board, and Mr. T. Brown, who was one of the victims of attempted assassination. He said that it was more than six months ago since the attempted murder of himself and his family, that he had received no compensation, nor had he been reimbursed the considerable hospital and doctors' expenses which he had been put to,

and that he had been afforded no help from the Residency.

One of the outcomes of the meeting was that everyone had to carry a revolver, and they were issued by the British Consulate to those who did not already possess them. In coming out of the Consulate one man shot himself through the foot, and in a moment there was not a soul in the street, and it was said that the clerks in the Consulate at once took refuge in the upper chambers. The police in Cairo were all armed with rifles, and it was ludicrous to see them run to where a motor-car had back-fired.

The English Judges used to take their revolvers to Court with them, but I do not think they would have been of much practical use in an emergency. There would have been no escape from the Courts, we were very much boxed in. I remember finishing a murder case rather late one evening. A taxi was sent for to take me home, and it was nearly three-quarters of an hour before it arrived. My Egyptian colleagues insisted on waiting for me, and when I took my seat in the taxi they said, "Now our responsibility is ended." The only personal hostility shown to me was in the form of a minor assault in the street by some students.

After an abortive attempt by Mazloom Pasha to form a Ministry after the resignation of Nessim, Yehia Pasha Ibrahim, formerly President of the Court of Appeal, succeeded in forming a Cabinet on the 16th March, 1923. On the 4th April a struggle commenced between the people and the Crown. The King feared that a democratic Constitution would impose too fettering limits on his power. Three Governments had followed each other, but there had been no progress towards

constitutional government. Great Britain could not consent to hand over Egypt to autocratic rule and absolutism could not be allowed to return. A curious state of affairs then manifested itself: the King and the extremists were against the Government and Great Britain. Yehia Pasha was a very feeble reed on which to lean, yet it seemed that the only thing to do was to support him. One evening in April I went into the Continental Hotel and there met Sir H. Perry Robinson, the special correspondent of *The Times*, who asked me to dine with him. During dinner we had not much opportunity of talking politics, as Sir Charles Cust had asked if he might join us, but later we had a long talk on Egyptian affairs and I asked him to meet Yehia and two of the Ministers at lunch at my house. Robinson wrote three admirable articles for *The Times*, in which he summed up the situation in Egypt very correctly. He gave Yehia his unstinted support, and it was those articles which enabled him to maintain his position, which was very critical.

I also introduced Robinson to the late Makabati Bey, who had been one of the Egyptian delegates who conferred with the Milner Mission, and they had some talk. A few days afterwards I met Makabati, and suggested that he should have some further talk with Robinson. "What," he said, "that *homme acharné*." I told him that he had better ask him to lunch, and he would find that he was not so *acharné* as he thought. Accordingly, Robinson, A. S. Merton, *The Times* correspondent in Egypt, and myself were invited to lunch at the Mohamad Ali Club. Amongst the guests, who all belonged to and were leaders of the Liberal Constitutional Party, were Adly Pasha, Mohamad Pasha Mahmood, and Dr. Hafiz Afifi, the political director

of their paper, the *Siyasa*, and also a very good doctor. We had a very good lunch : the Mohamad Ali is famous for its cuisine, and it surpassed itself on this occasion. I noticed when the cigars were handed round that Hafiz Afifi preferred his pipe, which he had no doubt acquired a liking for during his medical student days in London. It was all very interesting, and we did not separate until nearly five o'clock. Robinson's last words to them were, "Gentlemen, remember that you are the natural heirs of the present situation, and I am sure you will act wisely." There was a good deal of truth in what he said, but I think he was optimistic in his outlook.

Before I went on leave in the summer, I had applied to be allowed to retire on the 15th October. I only had eight months longer to serve to entitle me to full pension, and the President of the Court of Appeal on his own initiative asked that on account of my services this should be granted to me. The Minister of Justice had not even the courtesy to reply to his letter. I experienced the greatest opposition to my retirement, but finally I agreed with the Finance Minister, that in lieu of full pension they would grant me a lump sum of £E800 in addition to what I was entitled in the ordinary way, as they would save this in the first year of my successor's tenure, he coming in on the lowest grade of pay, whilst I was in receipt of the maximum. This I at once communicated to the Prime Minister, and made all my private arrangements for retiring. In September I received a letter from him saying that everything had gone through. It was the only communication that I had received in writing during the whole of the negotiations from any Egyptian Minister. On my return to Egypt I found that I had not been granted the £E800.



On the 19th May, 1923, the King after much delay signed the Constitution in a fit of panic. It substituted a democratic for an autocratic régime, and the Egyptians felt strange under the rulership of their own people. It was in reality a transfer of power from the Palace of Abdin to the House of the Nation, as Zaghlul's house had come to be called. There is no doubt that the King did not want the Constitution, which was contrary to all the traditions of the House of Mohamad Ali. England, however, was prepared in case of his opposition to take steps to inform the Powers concerned that she intended to withdraw the Declaration of 1922. Yehia's weak Government under the circumstances could only mark time. On the 24th September Zaghlul, who had been released on the plea of ill-health, returned to Egypt, and at once resumed his labours as a political agitator. He inflamed the hatred of the British, and denounced the Declaration of February 1922 as a deceit, a sham, and a fraud, and said that British interference was only camouflaged. In the meantime the Electoral Law was being elaborated. It was a curiously cumbersome thing, and was based on an electoral system in vogue amongst the Red Indians of North America. A certain number of people were elected as elector-delegates, and they in their turn voted for the candidate. There was naturally no sort of guarantee that the elector-delegate would vote in conformity with the wishes of those who had elected him. The law has since been amended and placed more on a level with the principle of the election of Parliamentary candidates in Europe, that is, by a direct vote in favour of the candidate.

The elections were to a certain extent a mockery, both parties were the embodiment of political

immorality, and there was a good deal of interference with the election campaign by the authorities. But finally, the question very nearly, if not entirely, resolved itself into whether the members of Parliament were elected by the Egyptian people or selected by Zaghlul. In January 1924 the electoral returns showed that Zaghlul had an overwhelming majority, and that there would be no opposition in the new Egyptian Parliament. It met on the 15th March with Zaghlul as Prime Minister. He expressed pleasure that his party's victory coincided with the coming into power of the Labour Government of England. He had yet to learn that a Labour Government was loyal to past traditions, and had no intention whatever of destroying the Empire.

The Parliament was opened with Oriental pageantry amid remarkable scenes of enthusiasm, great crowds, and visitors from distant provinces. Many of the members were in national costume, and the Arabs were in Bedouin attire. But there was a lack of dignity in the Chamber of Deputies, which caused unfavourable comments in the local Press. The debates were noisy, though good humoured, and there was an excess of enthusiasm. The rules of debate were not understood, members might not be absent without the President's permission—a striking infringement on the liberty of the individual—nor once in the Chamber could any member leave it without permission. Mazloom Pasha, a veteran ex-Minister of Cromer days, was elected President. He had two bells installed, one a small portable affair, and the second a large electric bell. As these sometimes were powerless to produce silence, an electric gong of the type used for fire alarms had to be instituted. One member complained that he could not be heard on account of the ringing of the

bell. The President replied, "It is my bell, and I will ring it if I like." "The French," said Mr. Dooley at the Dreyfus trial, "are a tumultuous nation." What adjective would he have used to describe the Egyptian Chamber of Deputies?

On the 30th June a Ministerial crisis was threatened in consequence of the British declaration with regard to the Sudan. The Labour Government in England had disappointed Egyptian hopes. On October 8th Zaghlul left London, after having gained nothing from Mr. Ramsay MacDonald, who could not come to any arrangement with such a thoroughly unpractical politician. In November there was apparently a wave of discontent in the country owing to his abuse of power and his administrative injustice. But I imagine this only proceeded from officials who were under his thumb and were terrified of losing their posts. On the 18th he offered his resignation, which was refused. He was still the only personality in the country.

During the summer of 1924 the Egyptians transferred their political propaganda to the Sudan, and men of the Sudanese regiments were urged to mutiny by officers of Egyptian regiments stationed in Khartoum. The result was very nearly another Indian mutiny on a small scale, and a general massacre would have taken place had not the Egyptian officers let the misguided Sudanese down. The situation was much more critical than the general public ever knew, and was admirably handled by Mr., now Sir, Wasey Sterry, the Acting Governor-General, and order was restored. The Egyptian regiments, on whom no reliance could be placed by either friend or foe, were sent back to Egypt, without any incident occurring in the transfer. Many of the Egyptian officials were also

sent back to their own country, as their activities outside their work constituted a menace to peace and order.

Sir Lee Stack was one of my fellow passengers in the *Naldera* in coming out to Egypt in October 1924. He was a very old friend of mine, and a man whom sudden elevation to a very high position had not in any way spoilt. If he had a fault, it was that he was too trusting, and it was impossible to make him believe ill of any man. He was shot on the 19th November in his motor-car, which the assassins held up in one of the most frequented streets in Cairo. His A.D.C. and his soldier chauffeur were both wounded. He so trusted the Egyptians that he would never carry a revolver or allow his Staff to do so. The crime took place not very far from the Residency, and it was there that the wounded chauffeur drove and he and the A.D.C. carried Stack in. He was bleeding internally; and wisely or unwisely, he was taken in an ambulance over an indifferent road to the Anglo-American Hospital three-quarters of a mile away. He died on the 21st November.

A wave of bitter indignation swept through the British community, for Stack, quite apart from his position, was a man greatly beloved. Almost immediately after the tragedy Zaghlul Pasha called at the Residency to express his regrets. It was said that Lord Allenby took him into the room where Sir Lee Stack lay and said to him: "Look at your work." On the 24th November, Lord Allenby presented a Note to the Egyptian Parliament in person. He was accompanied by a full regiment of cavalry, whose trumpeters heralded his arrival at the Parliament House with a royal salute. Perturbed Deputies appeared on the balcony to find

Lancers drawn up in a line, completely blocking the entrance. The Note demanded the immediate payment of £E500,000, as well as amongst other things a very considerable extension of the acreage which could be put under cultivation in the Sudan. For a few days the Egyptians were cowed and frightened, but the Note was whittled down until little was left of it but the payment of the half-million. On the 25th November Zaghlul resigned rather than accept some of the British demands, especially those relating to the Sudan. It is impossible to disguise the fact that his policy and his speeches contributed largely to the crime which cast an indelible stain on the annals of Egyptian history. £40,000 was granted to Lady Stack for the loss of her husband. Speakers in the House of Commons had spoken of him as one of the most distinguished sons of the Empire, and had lauded the value of the services he had rendered. Small sums were given to the A.D.C. and the chauffeur to compensate them for their wounds. A huckster in an Eastern Bazaar would have been more generous. The Egyptians were not made to pay for the movement of troops and ships which the troubles in the Sudan and Stack's murder necessitated, which was, as usual, an added burden for the long-suffering British taxpayer.

On the 26th November, Ahmed Pasha Ziwer succeeded Zaghlul as Premier, who promised co-operation with any Government which had the interests of Egypt at heart. On the 10th January, 1925, a new political party "Al-Ittihad" (Unionist) was formed to combat the activities of the Wafd. Its creation was said to have been inspired by the Palace, and Yehia Pasha Ibrahim was put in as stage manager. During the election campaign many of

Zaghul's adherents finding their lives made difficult and unpleasant for them by the provincial authorities, no doubt inspired by the Government, joined the party, and there was great jubilation among Zaghul's opponents. After the elections Parliament was opened by the King on the morning of the 24th March and dissolved in the afternoon. The "Ittihadists" reverted to their allegiance, and Zaghul was elected President of the Chamber. This precipitated a crisis, and the Cabinet tendered its resignation.

Then Ziwer Pasha was made Prime Minister, and held office without any Parliament until the end of May 1926, during which period Egypt was more tranquil and better governed than it had been, or perhaps is ever likely to be under its parliamentary régime. Of course many of the methods employed were Oriental, but that, perhaps, in the circumstances was inevitable. There was one fly in the ointment in the person of a young man called Hassan Pasha Nashat, of the King's Cabinet, who was regarded by many as the virtual ruler of Egypt. His power and the acts which were attributed to him gained him the hostility of the whole of Egypt. He was subsequently removed at the instance of Lord Lloyd, and entered the Egyptian Diplomatic Service as a Minister of Legation.

In the early part of the summer of 1925, Lord Allenby tendered his resignation, which was accepted, and Lord Lloyd was appointed his successor. This appointment gave great satisfaction to the British community in Egypt, to whom he was known as a first-class man, who knew his own mind, was fully conversant with local conditions and unlikely to be deceived by the duplicity of the Egyptian politician. I have elsewhere referred to his career,

which marked him as the one man fitted to fill the most difficult post in the gift of His Majesty's Government.

The General Election took place in May 1926, and resulted in an overwhelming majority in favour of Zaghlul. Prior to the elections he had let it be hinted that a change had come over his ideas, and that he would be found much more amenable. When, as was foreseen, the Wafdists gained the majority in the new Chamber, Lord Lloyd, desiring to avoid formulating the objections of the British Government to Zaghlul Pasha as Prime Minister, supported the formation of a Cabinet which, if partly composed of members of the Wafd, would have in the more important posts men whose personality would afford the guarantee which Great Britain required.

When Zaghlul Pasha, who had apparently acquiesced, suddenly announced his determination to form a Cabinet himself, the foreign interests, with whose protection the High Commissioner is charged, became alarmed. Lord Lloyd accordingly invited Zaghlul Pasha to the Residency for an informal talk on the situation, no doubt with the hope that he might persuade him to acquiesce in the formation of a Cabinet under someone like Adly Pasha. Zaghlul Pasha, however, was not moved from his determination to form the Cabinet himself, and although he professed friendly sentiments towards Great Britain, he declined to discuss the details of any of the various questions at issue. The interview was of a friendly nature throughout, although I should not wonder if at first Zaghlul was not inclined to be insolent until he had sized up the man he was dealing with. Lord Lloyd is understood to have suggested to the Wafdist Leader

that in view of the history of his past administration and of his refusal to give any undertakings with regard to certain important questions, he gravely doubted whether the British Government would view with favour his again being summoned to form a Ministry.

It may be as well to state here what the motives probably were which dictated British policy at this crisis, and which were admirably recapitulated in *The Times*.

The more active members of the Wafd were behind the gang which between September 1919 and November 1924 carried out the long series of murders and attempts at murder of British officials and soldiers, and the murder of two of the leading members of the Egyptian Liberal Party. Most of these outrages were committed immediately after violent declarations by the Wafds leaders, particularly in the case of the Liberal victims, and neither the Leader of the Wafd, nor its committee, nor its Press made any sincere expression of disapproval of any of these outrages. Moreover, Zaghlul Pasha nominated to lucrative posts Egyptians who had served sentences of imprisonment for political crimes.

The Wafd Party came into power in January 1924, with the cordial goodwill of the foreign communities, who hoped the best of a strong Government. They were soon to be disappointed. During his nine months of office Zaghlul Pasha managed completely to demoralise the country, and the whole administration became chaotic and corrupt. He persistently encouraged anti-British discussions in the House; he allowed prominent members of the Wafd to direct from the Parliament building propaganda that resulted in the outbreaks in the



Sudan in August 1924; and he pursued a policy of partisan persecution of Egyptian officials which gradually made it impossible for these officials to do their duty when that duty clashed with the interest of the Wafd.

After his return from delivering his ultimatum to Mr. MacDonald, Zaghlul Pasha found that his position had been weakened by the Palace, and he sought to restore his waning fortunes by sounding the revolutionary note. In this connection it is instructive to analyse the events that led up to the murder of the Sirdar. Zaghlul Pasha not only incited the masses to violence, but also publicly denounced the presence of British officers in the Egyptian Army. While the British Labour Cabinet was in office no organised political murders occurred in Egypt. The Wafd regarded the Labour Party as friendly. When Zaghlul returned to Egypt after his abortive "conversation" in London, the Labour Party was still in office, and in his speeches he advocated peaceful and legitimate methods. But no sooner was it clear that the Conservatives would return to power than steps were taken to resume the "frightfulness" which the Wafd considered had been so successful with the Liberals and Conservatives in the past. Men like Ahmed Maher and Mahmood-al-Nokrashy were introduced into the control posts at the Public Instruction and the Interior, and to the latter Ministry Fathallah Barakat was simultaneously transferred. Demonstrations were revived, student-bands reappeared, and attacks were organised on private persons and property, and popular feeling was gradually worked up until it culminated in the revolutionary manifestations outside Abdin Palace, where the mob shouted, "Saad or revolution,"

while he was within dictating his will to the King. Three days later came the murder of Sir Lee Stack.

This sequence of events shows the extent to which the Wafdists were implicated in that outrage and the disorders that preceded it, and it should not be forgotten that, so guiltily conscious were they of the close connection of the Wafd with the criminal organisation directing the outrages that Zaghlul's nominees at the head of the Ministry of the Interior deliberately burked the opening stages of the enquiry into the assassination of the Sirdar. It is not surprising that the British Government declared in its ultimatum of the 22nd November, 1924, that Egypt as then governed had aroused "the contempt of civilised peoples."

During the two days following Zaghlul's momentous interview with Lord Lloyd, who handled the situation with the fearless ability of a great statesman, the Wafdists became alarmed. They had visions of the £E600 a year, which they received as Deputies, disappearing into the blue, and never was such a strain put on the Egyptian Telegraph Administration as then by the wires of frantic Deputies and their friends. There was a veritable panic. In the end Zaghlul had to listen to the voice of fear which Lord Lloyd had inspired among his followers and agree to the appointment of Adly Pasha as Premier and Sarwat Pasha as Minister for Foreign Affairs. He, himself, was elected President of the Chamber of Deputies, with two of his nominees as Vice-Presidents. Though nominally not the head of the Government, from his President's chair he was in complete and supreme control of Egypt, and any opposition to his will was not tolerated by either himself or his party.

On the 19th April, 1927, Adly Pasha and his Cabinet tendered their resignation. There had been no vote of want of confidence by the Chamber, nor did the Ministry ask for one. The Ministers had been heckled, and they could not stand it. They one and all said their position was undignified, and most of them said they were ill. The Deputies said they had confidence in the Ministry, but Adly had had enough, and refused to withdraw his resignation. He was the only man in the Cabinet who really felt the indignity of his position. Then the question arose where to find a Prime Minister who would be more or less acceptable to the Residency and the Wafdists. Zaghlul was the pivot on which everything turned, and Sarwat stepped into the breach. He had several protracted interviews with Zaghlul, of which the outcome was his acceptance of the Premiership, conditionally, it was said, with an engagement on the part of Zaghlul to compel his followers to abandon the heckling tactics to which the late Ministry had been subjected. There was some reshuffling of posts, and all the Ministers who had resigned and declared that nothing would induce them to continue in office suddenly recovered their health and resumed their dignity. The whole proceeding was childish, but whatever anyone may think, they were only the nominees of Zaghlul, who was the ring-master of the Egyptian Parliamentary circus, and as Ministers they were subservient to his will.

Few countries have a record of political crimes as black and ungrateful as that of Egypt. Fewer countries still would have endured being made the victim of such crimes with the patience of Britain. Between November 1918 and November 1924, Egyptian Nationalists murdered in cold blood

twenty-five British subjects, wounded ten more, and unsuccessfully attacked five others, exclusive of the murder of Sir Lee Stack and the attempted murder of those with him.

The trial of the murderers of the Sirdar resulted in the acquittal of Ahmed Maher, an ex-Minister of Zaghlul's Cabinet, and Mahmood-al-Nokrashy, whom he had appointed Under-Secretary of the Ministry of the Interior. In his confession Shafik Mansoor had named as directing members of his organisation these members of Zaghlul's Cabinet. His confession was supported by several witnesses, who stated that they were the main plotters, instigators, and organisers of a long series of cowardly murders of British subjects. It will be remembered also that these two men had tried to burk the opening stages of the Stack murder enquiry. They were acquitted by the Court by a majority vote of its two Egyptian members. Judge Kershaw, who had presided at the trial, following the very best of British judicial traditions, at once resigned his judgeship, a course which he knew would deprive him of his pension, but his high sense of duty came first. The British Government followed up Judge Kershaw's personal action by a Note stating its dissatisfaction with the verdict, and hinting that for any future crimes against foreigners in Egypt it would insist, as the protector of foreign interests, upon trial by a more impartial tribunal. Zaghlul Pasha took a different attitude, and immediately on their acquittal received them with open arms. Can a nation with such a criminal record behind it have become conscious of its dignity and its needs ?

Five years of Egyptian Government have acted as a cold douche to those who loudly demanded Egypt for the Egyptians in the sense that this

meant no interference from without. The European situation always reacts on Egypt, and Egyptians know that those Powers that openly or secretly backed them against England a few years ago have had reason to change their opinions. Egyptians realise that were England to weary of her task, other Powers, notably Italy, are only too anxious to assume the burden. They realise that they cannot stand alone, and there is much heart-searching among them to find an escape from the dilemma. That is why some of them favour the idea of entering the British Commonwealth of nations and why others among them are actually discussing amongst themselves an alternative. This includes coming to an agreement with England on the basis of a compromise. They recognise that England and the Dominions stand by the Suez Canal, and they suggest bargaining for this asset. They are prepared to give England the Canal and the neutral zone on the West in return for the surrender by the British of the lands through which the White Nile runs. They realise the need of territory for their increasing population, and feel that if Kordofan and Darfur were in their hands they could, by a policy of land settlement, find an outlet for their surplus population. This is a thoroughly unpractical idea, and would only give them further opportunities of extending their misrule. Great Britain will never give up the Suez Canal or the Sudan, for both are vital to her existence as an Empire and for the development of her trade and the employment of her people. The Sudan cannot be held without at the same time retaining a hold on Egypt. The Suez Canal cannot be held without Cairo being garrisoned by British troops, as it is from Cairo alone that drinking water can be supplied to Port

Said and Suez, without which they would be uninhabitable and useless as a military asset.

No one can shut his eyes to the fact that the policy of Egypt is now controlled by schoolboys and students, and will be so controlled for at least two generations. They were made use of during the revolutionary period by Zaghlul and the Wafd leaders, and now from being servants they have become masters. It is their turbulent, undisciplined, and unbalanced minds that are going to make any settlement of the Egyptian problem almost impossible. They are the men of the future and are all at the back of the extremists. They are the elements which count to-day and which to-morrow will have to be reckoned with. They are incapable of evolving anything but a policy of destruction, even though it lead to the pulling down of their own house. In Egypt there are several political parties, but whether they are Liberal-Constitutionalists or Zaghlulists, they all have the same aim—the exodus of the British from Egypt and the handing over of the Sudan. They are all bound to that policy, and the extremists will see that they stick to it. The British Government must have no illusions on that point. None of them will yield in negotiation, but all of them will yield to force. If we are not prepared for this, the alternative is to get out and leave our task to another European Power.

Egypt is a land of paradox, and it is a paradoxical truth that the future good government of Egypt will entirely depend upon the policy of Ministers in England rather than that of those of Egypt, and that policy will have to be very firm, for in no other way will the four principal points be settled.

## CHAPTER XXIV

### THE TREATY PROJECT AND EVENTS IN EGYPT

AT the end of May 1927 occurred one of those seasonal crises which are so marked a feature of Egyptian politics. This time it was Army administration which provided the cause. A Committee of the Egyptian Parliament had recommended the suppression of credits for the Sirdar. Until the murder of Sir Lee Stack in 1924 the Egyptian Army was under the command and the recognised control of a British Sirdar. No one was appointed to succeed Sir Lee Stack. The execution of his functions fell upon his assistant, Huddleston Pasha, and was later delegated to the Inspector-General, Spinks Pasha, who became Acting Sirdar. The new position of Spinks Pasha was never formally recognised by the Egyptian Government, and his powers and authority were steadily undermined by a series of administrative acts carried out by successive Egyptian Ministers of War. The effect of these acts was a gradual diminution of British control over the Egyptian Army, the reinstatement to important positions of officers who, on critical occasions, had taken a political part in opposition to Great Britain, and also an increase in the numbers and equipment of the Army. The most serious features in these changes were the gradual subjection of the Egyptian Army to uncertain political influences, and the tendency, which became increasingly apparent, to use it as a political machine. The affair was admirably stage-managed by the Egyptians. Lord Lloyd, the High Com-

missioner, had recently paid a visit to Minia in response to an invitation from the local notables. This visit was made the pretext of an attack upon him in the Chamber, where the speeches were studied and scurrilous in their insolence, and Zaghlul Pasha sat silent in the President's Chair throughout this disgraceful exhibition and made no attempt to curb the immoderation of the language. It was a deliberate attempt to vilify Great Britain in the eyes of the *fellaheen*, and to inflame public opinion, in the hope of securing its support for resistance to any steps which Great Britain might take to enforce her point of view. The Egyptian politician in his ignorance thought she was too occupied with affairs at home, in China, and other remote quarters of the globe, and that the moment was a favourable one to flout her. The foreign communities took a grave view of the situation, and were ready to support any action tending to put an end to activities which they recognised as likely not only to endanger British interests but also seriously to affect their own position if allowed to continue. The simultaneous despatch of a British Note to Cairo and of warships to Alexandria on the 30th May soon checked the schemes of the Egyptian Parliament for eliminating what remained of British control in the Egyptian Army, and to turn it into a political machine for use against foreign interests. In order to give effect to her desire for an amicable settlement, Great Britain was prepared to agree to a reduction of the period of military service from five to three years, although that would have greatly increased the trained reserve, and to the raising of the strength of the battalions. The British demands for ensuring the control of the Egyptian Army provided for the renewal of the present Inspector-



General's contract for three years with the rank of Ferik (Lieutenant-General), with supreme authority over the Army, undiminished attributions as Acting Sirdar, and direct access to the King of Egypt, and that his recommendations for promotions and decorations be presented directly to the King and not through the Minister for War ; that a British officer with the rank of Lewa (Major-General) be appointed as the Inspector-General's second-in-command to act as his deputy during his absence ; that the Frontier Districts and Coastguard be under British command. The Egyptian Press, always extremist, vigorously urged the Cabinet to reject the British demands, on the ground that Great Britain had no right to interfere. The Chamber, however, began to waver, not in favour of the acceptance of the Note, but of an offer of compromise. British and foreign circles considered that insistence upon the unconditional acceptance of the Note and the immediate adoption of the British requirements was the only possible policy, and this opinion was unanimously against any form of compromise, for which they thought the time was past. They considered that the Egyptian Government had had ample opportunity to offer an alternative solution of the difficulty during Lord Lloyd's previous discussions, and past experience of parleying had convinced them that Egyptian tactics were always directed with the object of elbowing the British Government out of its clear responsibilities for the security of Egypt. After the usual talk that it was inadmissible that anyone was trying to disturb relations, as the national energies were directed towards a good understanding between the two countries, and that the foreigners who lived in Egypt in peace must have been astonished at the

despatch of warships, a favourable reply was ultimately sent to the British Note, which Sarwat Pasha said in the Chamber of Deputies on the 16th June was due to a regrettable misunderstanding. The Prime Minister then paid a public tribute to the pains taken by Lord Lloyd to arrive at an amicable settlement, spoke of the friendly spirit which he had manifested in the negotiations, and the real desire he had displayed to maintain the best possible relations between the two countries, and that the Egyptian Government was confident that the final settlement of this question would be facilitated. The settlement had a good Press, and there was a widespread acknowledgment of the sympathetic manner in which Lord Lloyd, though assuring British interests, did his utmost to meet Egyptian susceptibilities and fears, and his statesmanship was approved and applauded both by the British and foreign communities. Nevertheless, though it was clarified and reduced, the risk is not entirely precluded that the administration of the Egyptian Army may not be the cause of diplomatic friction in the future.

Early in June, shortly after the termination of the crisis, the projected visit of King Fuad to England at an early date began to be mooted. Sarwat Pasha said that the visit of the King had no particular political object, but when asked if Egypt as a whole was prepared for anything in the nature of an alliance and what would be the prospects from the Egyptian point if such an alliance were concluded, the Prime Minister said they would only be too glad to see the conclusion of an understanding of this sort, if only because one of its first effects would be to produce a new atmosphere as regards pending questions, and that it was only natural to suppose that in this new atmosphere existing difficulties

would disappear ; that he had every reason to give the assurance that the Egyptian people really wished to enjoy good and cordial relations, both at the present moment and after the conclusion of an alliance ; that there might be a few who held different opinions, but these differences of opinion referred not to the basis of our friendship, but related to the lines which the proposed alliance might follow ; that he was confident that a natural sequence of events would make an alliance possible. People are rather apt to overestimate the value of their own opinions, and Sarwat Pasha was no exception to the rule. He has always been a leader without a party and has never been able to speak authoritatively in the name of the Egyptian people.

Ahmed Fuad, King of Egypt, was placed on the throne by the British Government on the 9th October, 1917. He was born in Cairo on the 26th March, 1868, the youngest son of Ismail the Magnificent, and the great-grandson of Mohamad Ali, who founded the dynasty of which King Fuad is the ninth sovereign.

At the age of ten he was sent to Europe for that course of instruction and intercourse with European affairs which gave him a taste for world politics. He first studied at the Tudicum Institute at Geneva, and shortly after entered the International Institute at Turin. Seven years later he joined the Military Academy in that city, and later he was gazetted as a lieutenant in the 13th Regiment of Field Artillery, then stationed at Rome. In 1890 the Sultan Abdul Hamid appointed him Military Attaché at the Ottoman Embassy in Vienna, and in 1892 he was recalled to Egypt by his nephew, Abbas Hilmy Pasha, who had succeeded Prince Fuad's eldest brother as Khedive, and was appointed Aide-de-camp-in-Chief

with the rank of Ferik (Lieutenant-General). Three years later he resigned that position, and withdrew from political and official life in order to devote himself more completely and more independently to the scientific and intellectual activities in which he was keenly interested. He headed an appeal in favour of the Egyptian University, and was President of the Board until 1913. He promoted the creation of the Society of Political Economy, Statistics and Legislation, one of the most useful institutions in the country, of which he is still President. The Geographical Society, which was founded by his father Ismail, owed its rescue from the apathy which overtook it when that dynamic force disappeared from Egypt, and its later success to King Fuad, who was its President and is now its patron. In 1913 he was a candidate for the Throne of Albania. In 1919 King Fuad, who by a previous and much earlier marriage had had a daughter, who is now the wife of Mahmood Pasha Fakhry, the Egyptian Minister in Paris, married the talented daughter of Abd-al-Rahim Pasha Sabry, a distinguished member of the Egyptian aristocracy. By this marriage he has had four children, three daughters and a son, Prince Faruk, who has been officially acknowledged as the heir to the throne. On the abolition of the Protectorate and the recognition of Egypt as an independent sovereign state, he proclaimed himself King with the title of Fuad I on the 15th March, 1922, and in 1923 he granted the present Constitution, thereby surrendering for the benefit of his people most of the prerogatives which, like all his predecessors, he had enjoyed as an autocratic ruler.

King Fuad possesses intellectual curiosity and a capacity for assimilating facts in an unusual degree. Few sovereigns of Egypt have had such an under-

standing and extensive knowledge of their country and their subjects as has its present ruler. Even those who know him well are often astounded at the completeness and accuracy of his information about even seemingly insignificant domestic events in distant portions of his kingdom, while strangers are amazed to find in what close touch he is with what is going on in the world in general and with the latest developments in the realms of science, economics, education, and politics.

The King arrived in London, accompanied by his Prime Minister, Sarwat Pasha, at the beginning of July. He was royally received by Their Majesties King George and Queen Mary, and had a magnificent reception in London from the British people. Sarwat Pasha expressed the hope that this sympathetic welcome would pave the way towards an alliance between the two countries, and would augment and fortify their friendship. Great Britain had always been desirous of putting her relations with Egypt on a solid and durable basis, and Sir Austen Chamberlain naturally took advantage of the Egyptian Prime Minister's presence to discuss Anglo-Egyptian relations with him to see if some satisfactory agreement could not be reached.

On August 23rd, 1927, Zaghlul Pasha died at his house in Cairo after a brief illness, and whatever may be the eventual verdict of history on the part he played in the affairs of his country, it will undoubtedly single him out as by far the most remarkable personality that modern Egypt has produced. There is no doubt that his love of the limelight was intense, and shut out whatever chance there was of his overcoming the effects of his upbringing and education and emerging from the political demagogue into a practical statesman desirous only of his country's

real needs and the welfare of her people. Like all Egyptians, he was in too great a hurry to get there, and periods of transition were anathema to him. His death created a new political situation : he had left no political testament. That task was left to the Wafd, who on the 19th September issued a manifesto announcing that it would work for the realisation of Zaghlul Pasha's principles, and strive for independence amicably, without hatred or animosities, safeguard the Constitution, maintain the coalition of parties, and cultivate friendly relations with foreign Powers in general and Great Britain in particular. It appealed to the Egyptian nation to assist it in carrying out this policy.

At a meeting held on the 26th September the members of both Houses of Parliament belonging to the Wafd unanimously elected Mustafa Pasha Nahas leader of the Wafd Parliamentary Committee, and on the opening of Parliament on the 17th November he succeeded Zaghlul Pasha as President of the Chamber of Deputies. He was born at Samanoud in 1879. He became a member of the Egyptian Bar, and practised before the Courts until 1904, when he was made a Judge of the Egyptian Law Courts, where he remained until July 1919, when he was dismissed by the Government for having become one of Zaghlul's adherents when the Wafd was formed in 1918. He then devoted all his time to the Nationalist movement, was one of Zaghlul's warmest supporters, and was deported with him to the Seychelles Islands on the 23rd December, 1921. He has always been identified with the extreme side of the Nationalist movement. He returned to Egypt on the 26th June, 1923, with his associates in exile, when they were given a warm welcome by their compatriots.

When the first Parliamentary elections were held in Egypt, Mustafa Nahas (Bey) was elected as Deputy for Samanoud, and when Zaghlul Pasha formed the Ministry in January 1924, he became Minister of Communications, and was made a Pasha. When the Zaghlul Ministry resigned in November of the same year, Mustafa Pasha Nahas returned to the Bar, but continued to work with the Wafd as Chief Secretary for that organisation. He defended Ahmed Maher Pasha and Mahmood Nukrashy Bey, respectively Minister of Education and Under-Secretary of State in the Ministry of the Interior in Zaghlul's Government, when they were indicted for the murder of Sir Lee Stack, and his defence was greatly appreciated by his fellow-countrymen. At the last election he was returned for his old constituency, and when Parliament met its choice fell on him as second Vice-President of the Chamber of Deputies. That he did not join the Cabinet was due to Zaghlul's desire to have him at his side in the House, and his wish was to remain with Zaghlul. He resembles Zaghlul in that he is equally overbearing, but he does not possess the magnetic personality which was such an asset with his late leader and enabled him to sway the mob with such ease. He has inherited the mantle but not the living force which made Zaghlul such a dominant personality. He also lacks experience of leadership, and he has a difficult team to drive. So far he has shown no signs of statesmanship, of which amongst Egyptians Sarwat has the exclusive monopoly. On the 20th September the Wafd issued a Manifesto, in which, after referring to the loss of its late leader, it stated that it would always be faithful to its pledge to the nation and would never leave the field of honour until the country realised its glory by attain-

ing genuine independence and full freedom, and that it would follow the line which Zaghlul Pasha had followed of fighting for the country's independence wherever a way was found. It expressed its intention of maintaining the present combination of parties followed by the usual insincere claptrap of its desire to follow a policy strengthening its friendship with Great Britain.

Sarwat Pasha returned to Egypt on the 10th September, and was warmly received by leading Wafdists as well as by Liberals. He had originally intended to come to Egypt in the interval between King Fuad's visits to Rome and Paris in order to sound local opinion, through Zaghlul Pasha, as to the London conversations, but Zaghlul's death completely changed the situation in this respect. Instead of being able to deal with the question through a man who, by reason of his personal position, could impose his own views on the majority and command its votes, he now found himself confronted by a majority which did not belong to his party and owed him no allegiance. His chief concern was to see to what extent the disappearance of the keystone of the Wafd edifice and the consequent free operation of the conflicting influences within that party were likely to affect the support which it had so far accorded him. He could not have found the prospect encouraging, although he said that he was very satisfied with the political situation, and the attitude of the Coalition Parties towards him made him optimistic. Early in November Sarwat returned to London to resume his conversations with Sir Austen Chamberlain. A Draft Treaty was, after much discussion, finally agreed to and signed by Sarwat Pasha and the British Foreign Secretary, which was not, however, assented to by the Dominion Govern-



ments. It embodied large concessions to the Egyptian Prime Minister's own views and to Egyptian sentiment, which His Majesty's Government felt it possible to make in order to reach agreement. Its historical importance necessitates it being set out in full together with its Annex and the Draft Note regarding Capitulations in Egypt.

#### ARTICLE 1

An alliance is established between the two high contracting parties in consecration of their friendship, their cordial understanding and their good relations.

#### ARTICLE 2

His Majesty the King of Egypt undertakes not to adopt in foreign countries an attitude incompatible with the alliance or liable to create difficulties for His Britannic Majesty; not to oppose in foreign countries the policy followed by His Britannic Majesty and not to conclude with a foreign Power any agreement which might be prejudicial to British interests.

#### ARTICLE 3

If, by reason of any attacks or act of aggression whatsoever, His Majesty the King of Egypt should be involved in war for the defence of his territory or for the protection of the interests of his country, His Britannic Majesty will, subject always to the provisions of the Covenant of the League of Nations, come immediately to his aid in the capacity of belligerent.

#### ARTICLE 4

Should circumstances arise likely to imperil the good relations between His Majesty the King of Egypt and a foreign Power, or threaten the lives or property of foreigners in Egypt, His Majesty will at once consult with His Britannic Majesty with a view to the adoption of the measures best calculated to solve the difficulty.

## ARTICLE 5

In view of the co-operation between the two armies as contemplated in Article 3, the Egyptian Government pledge themselves to carry out the instruction and training of the Egyptian Army in accordance with the methods of the British Army; should the Egyptian Government deem it necessary to have recourse to the services of foreign officers or instructors, they will choose them from among British subjects.

## ARTICLE 6

In the event of His Britannic Majesty being menaced with or engaged in war, even though such war should in no way affect the rights and interests of Egypt, His Majesty the King of Egypt undertakes to furnish to His Britannic Majesty in Egyptian territory all the facilities and assistance in his power, including the use of his ports, aerodromes, and all means of communication.

## ARTICLE 7

In order to facilitate and secure to His Britannic Majesty the protection of the lines of communication of the British Empire, and pending the conclusion at some future date of an agreement by which His Britannic Majesty entrusts His Majesty the King of Egypt with the task of ensuring this protection, His Majesty the King of Egypt authorises His Britannic Majesty to maintain upon Egyptian territory such armed forces as His Britannic Majesty's Government consider necessary for this purpose. The presence of these forces shall not constitute in any manner an occupation, and will in no way prejudice the sovereign rights of Egypt.

After a period of ten years from the coming into force of the present Treaty, the high contracting parties will reconsider, in the light of their experience of the operation of the provisions of the present Treaty, the question of the localities in which the

said forces are to be stationed. Should no agreement be reached on this point, the question may be submitted to the League of Nations. Should the decision of the League of Nations be adverse to the claims of the Egyptian Government, the question can, at their request and under the same conditions, be reinvestigated at intervals of five years from the date of the League's decision.

#### ARTICLE 8

In view of the friendship between the two countries and of the alliance established by this Treaty, the Egyptian Government, when engaging the services of foreign officials, will as a rule give the preference to British subjects.

Nationals of other Powers will only be engaged if no British subjects possessing the necessary qualifications and fulfilling the requisite conditions are available.

#### ARTICLE 9

His Britannic Majesty undertakes to use all his influence with the Powers possessing capitulatory rights in Egypt to obtain the modification of the capitulatory régime now existing in Egypt so as to make it conform more closely with the spirit of the times and with the present state of Egypt.

#### ARTICLE 10

His Britannic Majesty will use his good offices for the admission of Egypt to the League of Nations, and will support the request which Egypt will present to this effect. Egypt for her part declares herself ready to accept the conditions prescribed for admission to the League.

#### ARTICLE 11

In view of the special relations created between the two high contracting parties by the alliance, His Britannic Majesty will be represented at the Court of His Majesty the King of Egypt by an

Ambassador, duly accredited, to whom His Majesty the King of Egypt will grant precedence over all other foreign representatives.

#### ARTICLE 12

Nothing in the present Treaty is intended to or shall in any way prejudice the rights and obligations which devolve or may devolve upon either of the high contracting parties under the Covenant of the League of Nations.

#### ARTICLE 13

The arrangements for carrying certain provisions of the present Treaty into effect form the annex hereto, which shall have the same validity and duration as the Treaty.

#### ARTICLE 14

The high contracting parties, although convinced that by reason of the precise definitions laid down above as to the nature of the relations between the two countries no misunderstanding is to be anticipated between them, agree nevertheless, in their anxiety to maintain their good relations, that any disagreement on the subject of the application or of the interpretation of these provisions which they are unable to settle by direct negotiation shall be dealt with in accordance with the provisions of the Covenant of the League of Nations.

#### ANNEX

##### I

(a) In default of previous agreement between the high contracting parties to the contrary, British personnel on the existing scale shall be maintained in the Egyptian Army with their present functions and on the conditions of the existing contracts during the period of ten years provided for in Article 7 of the Treaty.

(b) The Egyptian Government will not cause the

personnel of the Egyptian Army to be trained abroad elsewhere than in Great Britain. The Government of His Britannic Majesty for their part undertake to receive any mission which the Egyptian Government may send to Great Britain for this purpose.

(c) The armament of the Egyptian Army shall not differ in type from that of the British Army. His Britannic Majesty's Government undertake to use their good offices, whenever so desired by the Egyptian Government, to facilitate its supply from Great Britain.

(d) The privileges and immunities at present enjoyed by the British forces in Egypt shall continue. The Egyptian Government will continue to place at the disposal of the said forces, free of charge, the land and buildings at present occupied by them until such time as an alteration is made, in accordance with the second paragraph of Article 7 of the Treaty in the localities in which the said forces are stationed. When any such alteration is made, the land and buildings vacated shall revert to the Egyptian Government, who will provide, free of charge, in the localities to which the forces are transferred, equivalent accommodation to that provided by the land and buildings vacated.

(e) Unless the high contracting parties shall previously have agreed to the contrary, the Egyptian Government will prohibit the passage of aircraft over the territory situated on either side of the Suez Canal, and within 20 kilometres of it. This prohibition will not apply to the forces of the high contracting parties or to services already established under existing agreements.

## II

(a) The Egyptian Government, in agreement with His Britannic Majesty's Government, will appoint a Financial Adviser. When it shall be so desired, the powers at present exercised by the Commissioners

of the Debt shall be conferred upon him. He will be kept informed of all legislative proposals of such a nature that, to be applicable to foreigners, they would require in present circumstances, the consent of the capitulatory Powers. He shall be at the disposal of the Egyptian Government for all other matters in regard to which they may wish to consult him.

(b) Having regard to future changes in the judicial organisation as envisaged in Article 9 of the Treaty, the Egyptian Government will name, in agreement with His Britannic Majesty's Government, a Judicial Adviser. He shall be kept informed of all matters concerning the administration of justice in which foreigners are concerned, and will be at the disposal of the Egyptian Government for all other matters in regard to which they may wish to consult him.

(c) Until the coming into force, as the result of agreements between Egypt and the Powers concerned, of the reform of the capitulatory system contemplated in Article 9 of the Treaty, the Egyptian Government will not modify, except in agreement with His Britannic Majesty's Government, the number, status, and functions of the British officials engaged at the moment in the public security and police services.

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DRAFT NOTE REGARDING THE CAPITULATIONS IN  
EGYPT FROM SIR AUSTEN CHAMBERLAIN TO  
SARWAT PASHA.

This draft was prepared after discussion between Sir Cecil Hurst (Legal Adviser to the Foreign Office) and Sarwat Pasha, to whom a copy of it was communicated at the time.

Excellency,

Article 9 of the Draft Treaty which we have been discussing provides as follows :

“ His Britannic Majesty's Government undertakes to use all its influence with the Powers

possessing capitulatory rights in Egypt to obtain the modification of the capitulatory régime now existing in Egypt so as to make it conform more closely with the spirit of the times and with the present state of Egypt."

It will be useful if I explain to your Excellency the lines on which I think this reform of the capitulatory régime might well proceed, as I shall be prepared to support the efforts of the Egyptian Government to conclude arrangements with the Powers on these lines in the event of the Treaty now under discussion between us coming into force.

It was hoped in 1920, when negotiations were in progress between the British and Egyptian Governments, that arrangements might be made for the closing by foreign Powers of their Consular Courts in Egypt. Draft laws were accordingly prepared in that year extending the jurisdiction of the Mixed Tribunals and enabling them to exercise all the jurisdiction now exercised by the Consular Courts.

On points of detail many changes will no doubt be required. These must be discussed by experts. There are, however, certain modifications which will, I think, be necessary, in any event, and which I desire to take this opportunity of pointing out to your Excellency.

It may be difficult for some Powers to agree to the transfer to the Mixed Tribunals of all suits relating to the "status personnel" of their nationals. Transfer in the case of these questions should be facultative. Jurisdiction in such matters should remain with the consular authorities, unless an agreement is made between the Egyptian Government and the foreign Government concerned for its transfer to the Mixed Tribunals. I anticipate that His Majesty's Government would be prepared to agree to the Mixed Tribunals exercising jurisdiction in these matters in cases where British subjects are concerned.

His Majesty's Government consider it essential that Egyptians charged with the commission of political offences against foreigners should be tried by the Mixed Tribunals. To avoid all difficulty in deciding whether in any particular case the offence is political or not, the law should provide that whenever the Procureur Général of the Mixed Tribunals has reason to believe that the offence with which an Egyptian is charged is a political offence, it will fall within the jurisdiction of the Mixed Tribunals and be dealt with accordingly.

In the case of pardons or remissions of sentences imposed on foreigners, a small committee should be appointed, on whose advice the King would act in the exercise of the prerogative of mercy. This committee should consist of the Minister of Justice, the Judicial Adviser, and a third person. This same committee should advise the King in connection with the execution of capital sentences imposed on foreigners in Egypt.

Egyptian legislation now requires the assent of the Powers or of the Assembly of the Mixed Tribunals before it becomes binding on the nationals of the capitulatory Powers in Egypt. The powers of the Assembly of the Mixed Tribunals should be extended in this respect, and should cover all Egyptian legislation, with the exception of legislation imposing financial burdens on foreigners, and legislation relating to the constitution or jurisdiction of the Mixed Tribunals themselves. The former class should not come into force until the representative of His Britannic Majesty has declared himself satisfied that it does not discriminate inequitably against foreigners. The latter class would modify what is in reality a conventional arrangement between Egypt and the Powers, and therefore should not come into force until it has been approved by the Powers.

An extension of the criminal jurisdiction of the



Mixed Tribunals will necessitate the preparation and promulgation of a new Code of Criminal Procedure. The draft laws prepared in 1920 contain certain provisions of importance on this subject of criminal procedure (Articles 10-27, Law 11), and your Excellency will no doubt agree that the new Criminal Code should not diverge from the principles laid down in these articles.

There are certain matters as to which it will be necessary for agreement to be reached between the Egyptian Government and His Britannic Majesty's Government in Great Britain, but I do not think it necessary to do more at the moment than mention these subjects.

The first is the definition of the word "foreigner" for the purposes of the proposed extension of the jurisdiction of the Mixed Courts. I understand from your Excellency that the codes now enforced by the Native Courts in Egypt, subject to the Native Tribunals all persons in Egypt other than those who by law, usage or treaty are withdrawn from their jurisdiction. I am content to accept this principle provided that it is understood that all foreigners who have enjoyed the benefit of the capitulatory régime in the past will fall under the jurisdiction of the Mixed Tribunals irrespective of changes of sovereignty effected after the war of 1914-18. On the other hand, the Judicial Adviser will be at the disposal of the Egyptian Government in respect of matters relating to the administration of justice in which any foreigner is concerned, and not merely a foreigner who falls within the jurisdiction of the Mixed Tribunals.

The second is the increase of the personnel of the Mixed Courts which will be necessitated by the proposed extension of their jurisdiction, and, as part of this question, the new functions of the Procureur Général of the Mixed Tribunals and the staff which will be necessary to enable him to discharge those

functions satisfactorily. The Judicial Adviser will, of course, be consulted with regard to the appointment of foreign Judges in the Mixed Tribunals and of foreign members of the parquet.

Parliament was opened on the 17th November by the King, who, with Sarwat Pasha, had arrived in Egypt the previous day. The Speech from the Throne said that Sarwat Pasha's conversations with Sir Austen Chamberlain had succeeded in consolidating the good understanding between Egypt and Great Britain. A friendly spirit had inspired both sides in the conversations, and a sincere effort had been made to reconcile the points of view on the subject of Egypt and the Sudan, and to realise the desire of the British and Egyptian nations for an alliance which, by completing Egypt's independence and settling its relations with Great Britain, would unite them by links of friendship and confidence. The Speech further stated that Sarwat Pasha had discussed with the Governments of various countries the question of an extension of the jurisdiction of the Mixed Tribunals. These efforts had been crowned with success, and the Egyptian Government would call on the capitulatory Powers to confer in Cairo to establish the principle of the extension and to elaborate laws on the matter. The atmosphere of the Chamber was friendly, and the passages in the Speech on the visits and conversations were loudly applauded, particularly the portion relating to the capitulatory régime.

In spite of all the efforts made by journalists and others to obtain from Sarwat Pasha information respecting the Treaty, he maintained a Sphinx-like silence. He was much too astute to allow anything to leak out. He knew that he had hoodwinked Sir Austen Chamberlain into making great concessions

with the lure that they would be instrumental in making the Egyptians accept the Treaty, but in his own mind he well knew that he had no grounds for such an expectation. However, the concessions were so much to the good, and he had again succeeded in whittling down the British stick. He had also another motive for holding the matter in abeyance, and that was his desire to hold on to the Premiership as long as possible. He was aware, and had been well aware, from the inception of the conversations with Sir Austen Chamberlain that there was no possibility of the Nationalist Party accepting such a Treaty. He could not rely upon the attitude of some of his own colleagues in the Cabinet, the very men on whose support, in virtue of the undertaking given to him by Zaghlul Pasha before he took office, he had every right to rely.

At the end of December the Egyptian Government circularised the Powers regarding the reform of the Mixed Tribunals. The circular was addressed to the representatives in Egypt of the capitulatory Powers. It covered the draft Bills giving effect to the proposed reforms, and asked the representatives either to recommend acceptance to their Governments or, if they could not do that, to appoint representatives to sit in an international conference in Cairo. The Powers were asked to reply before the end of the month, so that if a conference was necessary it could meet in the middle of February. The proposed reforms included a change in the Organic Law, bringing the promulgation of laws more into line with the provisions of the Constitution; the transfer from misdemeanour to the penal jurisdiction of certain offences, such as the white slave traffic, adulteration of food-stuffs, falsification of weights and trade-marks, and gaming lotteries

in public establishments ; the suppression of assessors in Summary Courts ; the creation of a new Court of Appeal with three instead of five judges ; and last, but probably not least, permission for members of the Mixed Tribunals to receive decorations from the King of Egypt.

In diplomatic circles it was regarded as impossible to act within the Egyptian Government's time limit of Jan. 31st, 1928, for the presentation of observations on its Note about the reforms in the Mixed Tribunals. The general opinion was that with the best goodwill in the world, all the replies could not be presented before the 15th March, and that it would be very fortunate if the proposed conference could meet before the summer. It was pointed out that the questions at issue were not so simple as appeared on the surface. For one thing the proposed change in the Organic Law affected a matter which formed one of the great controversial questions in the last conference, which lasted for several years, while the Note made no provision for the special organisation which an increase in the penal jurisdiction on even the few subjects now proposed would necessarily entail.

About the middle of January 1928, the diplomatic representatives of the more important Powers advised the Egyptian Government that their Governments could not present their observations on the proposed reforms in the Mixed Tribunals by the 31st January, the date fixed in its circular letter. The Foreign Ministers were consulting together to see to what extent their views agreed, and diplomatic circles considered that if, as was hoped, agreement could be reached between the foreign Governments concerned as to what modifications in the Mixed Tribunals would be acceptable and what would

be unacceptable, and what organisation would be necessary to guarantee the satisfactory working of the reforms, it would be unnecessary to have any international conference on the subject such as the Egyptian Government had proposed. On the 31st January the only official reply which the Egyptian Government had received in response to its circular was that of Norway, which intimated that she was ready to attend the suggested conference, and appointed her Consul-General as delegate with Judge Hanssen, the Norwegian representative in the Mixed Court of Appeal, of which he is President, as Adviser. During February the conversations between the representatives in Egypt of the Capitulatory Powers continued in regard to the reforms in the Mixed Tribunals proposed by the Egyptian Government. The chief discussion centred on the extension of the penal jurisdiction and the guarantees which the foreign communities require. Only jurisdiction in a limited degree—namely, in regard to the white slave traffic, noxious drugs, adulteration of food-stuffs, and commercial frauds, hitherto dealt with by the Consular Courts, was proposed at present. Whatever be the extension of jurisdiction finally agreed upon, there must be some special organisation for dealing with these matters which will adequately protect the foreign interests involved. Where guarantees are particularly needed is in regard to the investigation of the offences to be transferred to the Mixed Tribunals and the procedure to be followed in the preparation and presentation of the cases. The matter is much too vital and important for European interests in Egypt for anything to be hurriedly decided, and no doubt some considerable time will elapse before an agreement is reached which will eliminate abuses and

at the same time afford a sufficient guarantee for Europeans in general.

Up to the beginning of February 1928, Sarwat Pasha had taken no steps to lay the draft Treaty before his Cabinet and his fellow-countrymen. In the meantime Sir Austen Chamberlain had become impatient, and was writing despatches to Lord Lloyd in Cairo in order to bring the matter to a head. He was evidently much more optimistic than Sarwat Pasha, his opposite in Egypt. Chamberlain cried "Forward," and Sarwat said "Back." On Dec. 31st, 1927, a despatch from Lord Lloyd to the Foreign Office stated that after lengthy conversations with Sarwat Pasha, his Excellency now represented that it would be impossible for him to persuade his colleagues in the Cabinet, or Parliament, to accept the draft Treaty, until he received in writing certain assurances regarding the interpretation of the text. In fact, he followed the tactics pursued by Zaghlul and his Delegation with the Milner Mission, who having agreed to a draft Treaty then wanted to object to it article by article. Sarwat wished for hypothetical interpretations of the text, although it was pointed out to him that Article 14 provided that any disagreement on the subject of the application or the interpretation of the provisions of the Treaty which the parties were unable to settle by direct negotiation should be dealt with in accordance with the provisions of the Covenant of the League of Nations. It must have been a great shock to Sir Austen Chamberlain when Sarwat Pasha replied that "the League meant nothing to him or to Egypt." The Egyptian Prime Minister procrastinated until the 8th February, when he unexpectedly asked Lord Lloyd for an interview, and stated that he had decided to lay the Treaty before Nahas Pasha, the President of

the Wafd, and his Cabinet that day, prior to his departure for Upper Egypt with the King. It subsequently transpired, however, that his Excellency had not, in fact, communicated the text of the Treaty to his colleagues, but to Nahas Pasha only. On the 25th February Lord Lloyd again saw Sarwat Pasha, who informed him that he had recently discussed the Treaty with several of his ministerial colleagues, as well as with Nahas Pasha. The latter, he said, had objected to the right of the British Army to remain in Egypt being recognised, but otherwise had been non-committal, arguing that he must first discuss the Treaty at a party meeting which had been summoned for the following day. Sarwat Pasha said he proposed to hold a Cabinet meeting the same day, but professed complete pessimism as regards the acceptance of the Treaty either by his Cabinet or by the Wafd. His Ministers, he said, would express no opinion until after the Wafd had given a lead, which they in their turn would follow, exemplifying once more the fear of accepting individual responsibility, which is such a prominent feature of Egyptian psychology. On the evening of the 1st March Sarwat Pasha went to see Lord Lloyd and informed him that his Government were unable to sign the Treaty, and that news to this effect would be published in the papers the following day. On the evening of the 4th March Sarwat Pasha again went to see Lord Lloyd and handed him the reply of the Cabinet, and informed him that he had that afternoon tendered his resignation to the King. The reply of the Egyptian Cabinet was couched in the following terms :

“ My colleagues have reached the conclusion that the draft, by reason both of its basic principles and of its actual provisions, is incompatible with the

independence and sovereignty of Egypt, and, moreover, that it legalises the occupation of the country by British forces. My colleagues have accordingly charged me to inform His Britannic Majesty's Principal Secretary of State for Foreign Affairs that they cannot accept this draft."

The wording of the rejection was clearly inspired by Nahas Pasha, who, in the course of an interview with Lord Lloyd on the 26th February, had stated that he felt it useless to discuss what advantages might or might not be afforded to Egypt in various clauses of the Treaty, inasmuch as the Treaty clearly failed to provide for the complete evacuation of Egyptian territory by the British Army. On that question he was entirely uncompromising and repeated himself on this point over and over again. Nahas Pasha, in fact, was as little ready as was Zaghlul Pasha in his conversations with Mr. Ramsay MacDonald in 1924 to recognise the realities of the situation which the British Prime Minister defined in his despatch to Lord Allenby :

"No British Government in the light of that experience (the European war) can divest itself wholly, even in favour of an ally, of its interest in guarding such a vital link in British communications (the Suez Canal). Such a security must be a feature of any agreement come to between our two Governments, and I see no reason why accommodation is impossible, given goodwill.

"The effective co-operation of Great Britain and Egypt in protecting those communications might in my view have been ensured by a treaty of close alliance. The presence of a British force in Egypt provided for by such a treaty freely entered into by both parties on an equal footing would in no way be incompatible with Egyptian independence, whilst it would be an indication of the specially close and



intimate relations between the two countries and their determination to co-operate in a matter of vital concern to both. It is not the wish of His Majesty's Government that this force should in any way interfere with the functions of the Egyptian Government or encroach upon Egyptian sovereignty, and I emphatically said so."

When the rejection of the Treaty by the Egyptian Government was officially notified to Lord Lloyd by Sarwat Pasha on the 4th March, he handed him, as instructed by Sir A. Chamberlain in his despatch of the 1st March, an official note to the Egyptian Government in the following terms :

" His Majesty's Government have for some time past viewed with misgiving certain legislative proposals introduced in the Egyptian Parliament which, if they were to become law, would be likely to weaken the hands of the administrative authorities responsible for the maintenance of order and for the protection of life and property in Egypt.

" So long as there was any prospect of the early conclusion of a Treaty of Alliance between Great Britain and Egypt which would define anew the responsibilities and rights of the two parties, His Majesty's Government were content to refrain from all comment, in the expectation that they might rely with confidence on the Egyptian Government to avoid legislation which might make it impossible for the Egyptian Administration to discharge successfully the increased responsibilities inherent in the treaty régime.

" But now that conversations with the Egyptian Government have failed to achieve their object, His Majesty's Government cannot permit the discharge of any of their responsibilities under the Declaration of the 28th February, 1922, to be endangered, whether by Egyptian legislation or by administrative action, and they reserve the right to take such steps as in their view the situation may demand."

In his concluding section to the preface of the *Egyptian Green Book* published on the 16th March, it is interesting to note that Sarwat Pasha indicates that the only reason why he could not support the British proposals was his inability to secure the acceptance of his point of view on the question of the police, and that he considered the clause about the maintenance of the British forces in Egypt, on which the Wafd based its rejection of them, as not being against the interests of Egypt. That if he could have secured the acceptance of his point of view on the police question the British proposals would, in his opinion, have been advantageous to Egypt, whether or not the British Government could have been persuaded to introduce further amendments ; that the proposals would have assured full and free exercise of Egyptian sovereignty in both foreign and domestic affairs, as the undertakings regarding the Egyptian Army and preference for British officials in public offices were merely corollary to the suggested alliance ; that the Sudan problem would have received its first and most important solution, much facilitating the settlement of the political aspect of the question, and, finally, far from confirming the British occupation, the proposed Treaty would have provided a solution of the difficulty connected with the presence of British forces on Egyptian territory which it had never been possible to envisage with any chance of success in previous negotiations ; and that the proposed intervention of the League of Nations in all matters, and particularly in the question of the Army, which in the past Great Britain had declined, would have constituted from the point of view of future relations with Great Britain a most encouraging prospect for Egypt. (The last sentence must have been a second thought, as it

is totally at variance with Sarwat Pasha's language towards the close of the negotiations that "the League meant nothing to him or to Egypt.")

The rejection of the Treaty by the Egyptian Government was received by the British and foreign communities with feelings of satisfaction and relief. Such of its provisions as had leaked out had filled them with consternation and dismay. They felt they were being handed over, bound hand and foot, to the caprices of Egyptian politicians; that their interests had been betrayed, that their fortunes and even their lives were on the verge of the abyss. They were fully alive to the defects of the Declaration of February 1922, by which Great Britain had voluntarily deprived herself of her stranglehold on Egypt. Yet bad and unsatisfactory as the Declaration undoubtedly was, it gave them a sense of security which was felt to be entirely wanting in the projected treaty. They knew the psychology of the Egyptians, and the British Foreign Office apparently did not. They knew that the Egyptians would never be bound by any promise they had made or perform any engagements they had entered into unless they were compelled to respect them by force. They saw ahead of them endless vexation and worry and the opening of a field eminently suited to the genius of the Egyptian politician, of which not only they but the British Government would be alike the victims; that they would be hampered and harried at every turn, and that the fruits of years of labour and effort would be jeopardised. They had been alarmed and apprehensive, and whatever might be its defects they preferred the *status quo* to any treaty which was likely to be respected by only one of the parties, and by whom they thought their interests had not been adequately

safeguarded. They did not blame the Residency, as they knew that Lord Lloyd had been simply an intermediary for the transmission of correspondence between Sarwat Pasha and Sir Austen Chamberlain, and that he was quite able to distinguish between make-believe and reality and wholly incapable of sacrificing their interests or those of his country to Egyptian importunity.

On the 16th March Nahas Pasha became Prime Minister. When he and his new Cabinet met in the Chamber on the 19th March, the Prime Minister made laudatory references to Hussein Pasha Rushdy, the Prime Minister from 1914 to 1919, who died on the 13th March. On the resumption of the sitting, which was suspended for five minutes as a mark of respect to his memory, he said that the policy of the Cabinet would be to maintain the complete rights of Egypt and the Sudan in accordance with the national dignity and to consolidate the Constitution. In taking office the Cabinet did not intend to accept or admit anything encroaching on the complete independence and sovereignty of the country. As to the proposed treaty with Great Britain, he said that it was incompatible in principle as well as in form with the conception of independence such as is enjoyed by Belgium or any other small nationality similarly placed. He was certain that the Cabinet would reach a solution which would secure the independence of Egypt and provide for British interests where they were consistent with independence, and that Egypt's desire for friendly relations with Great Britain would lead to an agreement as between one friend and another, and not as between master and slave. The relations with the Powers were good, and he was glad to say that their foreign guests could enjoy

comfort and tranquillity with regard to their interests. He would do his utmost to strengthen the Coalition and to secure economy in the Administration, which would be free from favouritism, and work in an atmosphere free from rancour.

The Wafd has never swerved a hair's-breadth from its original programme as outlined by Zaghlul Pasha, and Nahas Pasha once again made the situation perfectly clear. The policy of the Wafd, as in 1924, is to wait until British opinion evolves sufficiently to accept the more or less complete liquidation of the British position in Egypt as the price of the solution of the Egyptian problem. In the meantime it will always take every possible advantage of its control of the Executive, whether actually holding office as at present, or screened by a Premier belonging to another party. In a word, the Wafd believes that time and circumstance are its allies. The passage in the Premier's speech referring to the security enjoyed by foreigners was an indirect reply to the British Government's recent announcement of policy after Sarwat Pasha's resignation.

On the 30th March the Egyptian Government sent to the Residency its Reply to the British Government's Note on the subject of public security presented to Sarwat Pasha, while still Prime Minister, on the 4th March. The Reply objected to the interference in the internal affairs of Egypt, which it considered the British Note to imply, as it would make it impossible for the Legislature to control the Executive. It claimed that British relations with Egypt should be on the same diplomatic basis as those of other countries, and gave assurances that it was the intention of the Egyptian Government and Parliament to maintain public security and protect foreign interests. While the Reply did

not expressly repudiate the Declaration of February 1922, it clearly implied an intention to disregard what is the basis of the present régime in Egypt. The Reply aroused speculation everywhere as to the British Government's attitude towards what everyone regarded as a challenge to Great Britain, the most serious, indeed, since 1919. Foreign and instructed Egyptian opinion considered that the Cabinet's reply to the British Note following on Nahas Pasha's declaration in the Chamber and the terms of the rejection of the proposed treaty, conclusively proved the hopelessness of ever securing any rational settlement of the outstanding questions, or even satisfactory relations meanwhile, as long as a régime continued under which control rests with an element which persistently refuses to face facts or recognise realities.

Lord Lloyd's Reply to that of the Egyptian Government was firm and to the point. It stated that the British Government could not accept the Egyptian Prime Minister's Note as a correct exposition of the relations existing between Great Britain and Egypt and their respective obligations. In view of the responsibility incurred by His Majesty's Government to other Powers and of the vital importance to the British Empire of British interests in Egypt, Great Britain had reserved by the Declaration of February 1922 to their absolute discretion :

(a) The security of the communications of the British Empire in Egypt ;

(b) The defence of Egypt against all foreign aggression or interference, direct or indirect ;

(c) The protection of foreign interests in Egypt, and the protection of minorities ;

(d) The Sudan ;

until such time as these matters should have been

settled by agreements between the British and Egyptian Governments. His Majesty's Government sought, and they believed they had found, such a settlement by the Treaty which was negotiated with the late Prime Minister of Egypt. The Egyptian Government having refused that Treaty the *status quo ante* continues. The reserved points remain reserved to the absolute discretion of His Majesty's Government, the Egyptian Government exercising its independent authority subject to satisfying His Majesty's Government on these matters.

Contrary to experience in the case of previous British Notes, the rejoinder which was handed to Nahas Pasha on the 4th April did not arouse any criticism. Indeed, both its text and tone met the approval of British and foreign circles, particularly the latter, which were pleased with its unusual clarity and firmness. There was great speculation as to what the Cabinet would do. It was evident that the Wafd could not afford to meet the rejoinder in silence, as that would be equivalent to acceptance of the British standpoint and would undermine its prestige which its reply to the British rejoinder had enhanced. On the other hand, any further reply would undoubtedly provoke action which, it was known, the Cabinet did not really want. Nahas Pasha took a middle course in his statement of the Wafd's standpoint which contrasted with his own declarations, both within and without the Chamber, and the Cabinet's reply was conciliatory. He thus safeguarded the Wafd's position in the country without directly provoking Great Britain.

The cause of the friction between the two Governments was the proposed Egyptian law regulating Public Meetings and Demonstrations. This law had already been passed by the Chamber, and was

on the agenda of the Senate for the 30th April. There was no doubt whatever that it would be passed, and it was not easy to see how King Fuad could refuse his assent to a measure which had been accepted by both Houses of Parliament. The features of the Bill were Gilbertian, but none the less extremely dangerous. They put an absolute check on the authority of the police to maintain order, and the British Government considered, and rightly considered, that they presented a very real threat to foreign lives and property in Egypt when interpreted in the light of the general conditions obtaining there. The Bill was intended to enhance the influence of the Wafd at the expense of weakening the authority of the Government. It was designed to be used as a weapon by that party to facilitate outbreaks of mob violence when occasion suited, and was calculated to encourage the disorderly elements of the population to inflict damage on foreigners. It was a most unwise measure, judged even from the purely Egyptian standpoint, particularly since the law now in force had neither inflicted injustice on individuals nor restricted public liberties. This law had received the imprimatur of Zaghlul Pasha in the Senate when a Bill abrogating it had passed the Chamber of Deputies and was thrown out in consequence of his opposition.

On the 30th April, after a secret session of both Houses of Parliament, it was agreed that the Public Assemblies Bill should be withdrawn for that session. In the Chamber of Deputies the proceedings were of a heated character, and the Cabinet had some difficulty in persuading the Chamber to adopt its point of view, as there was considerable opposition from a number of its supporters who wished to take an attitude of complete defiance of



Great Britain. Finally, Nahas Pasha won over the Chambers by pointing out the disastrous consequences a course of defiance would entail.

The chief objections to the Bill were :

(a) That it made no mention of the powers which the Constitution expressly reserves to the authorities.

(b) That it forbade the police to interfere with authorised meetings until "grave disorders" took place, thus depriving them of their power of preventive intervention.

(c) That it did not authorise the authorities to prescribe the routes which public demonstrations must follow, and

(d) That it imposed far more severe penalties on police officers who infringed its provisions than upon the organisers of meetings or processions which resulted in "grave disorders."

On the 2nd May, a few hours before the time-limit, the Egyptian Government intimated through Lord Lloyd their qualified acceptance of the British ultimatum. They agreed to postpone, but not to withdraw, the Bill. The orders given to warships to proceed to Alexandria were countermanded, and the crisis was over. The British Government had made it absolutely clear that they meant to abide definitely by their obligations, both then and in the future, and that they were neither to be cajoled nor bullied out of them.

For some time past it had been evident that there were dissensions in the Cabinet. The Nationalists, though few in number, had attacked the Cabinet, and the Liberals had openly sympathised with their attitude. It was difficult to see how the two Liberal members of the Cabinet could retain their portfolios in the face of the manifest hostility of their party to the Government. On the 3rd May, Mohamad

Mahmood Pasha, the Liberal Finance Minister, had threatened to resign, and on June 17th he did resign. His resignation was followed on the 19th June by that of Gaafar Wali Pasha, the Liberal Minister for War. These resignations broke the very weak link of attachment between the Liberals and the Wafdists in the Coalition Government. The only wonder was that it had endured so long between two parties who were so temperamentally, socially and intellectually incompatible. A few days later, *Al-Akhbar*, the newspaper of the Nationalist Party, and *Al-Siassa*, the organ of the Liberal Party, published certain documents alleged to have been signed by Mustafa Pasha Nahas, the Prime Minister, Wissa Bey Wassef, the Wafdist President of the Chamber, and Gaafar Bey Fakhry, a Wafdist Deputy. The documents were photographed copies of a contract signed by all three, with the duly authorised representative of the mother of Prince Seif-al-Din (who escaped from Ticehurst Asylum about three years ago), and a letter addressed to the Prince's stepfather by Gaafar Bey Fakhry on behalf of himself, Nahas and Wasef. The Prince's mother had brought an action before the Court of the Crown, a special tribunal for all cases affecting the *status personalis* of the Egyptian Royal family. According to the alleged contract the three Wafdists (Nahas and Wasef were at the time Vice-Presidents of the Chamber) undertook the case, stipulating that if the interdiction was set aside they were to receive £117,000 and further fees to be based on the amount allowed for the Prince's maintenance pending the decision of the Court, such fees to be regulated by the amount allowed. The letter, alleged to have been written by Gaafar Fakhry, was dated the month of Zaghlul Pasha's death (August

1927). It informed the Prince's stepfather that Nahas Pasha had succeeded Zaghlul Pasha as leader of the Wafd and President of the Chamber, and went on to say that this gave them further facilities for obtaining a satisfactory solution of the case. It stated that a proposal had been submitted to the Chamber for the abolition of the Court of the Crown and the transfer of its powers to the Native Courts, and asserted that the writer and his two colleagues have power to make Parliament take whatever decision they like. The publication of these documents naturally created an immense sensation, and in Wafdist circles even it was urged that the Prime Minister and the President of the Chamber should resign at once. By a curious coincidence, Hafez Bey Ramadan, the leader of the Nationalists, who are hostile to the Wafdists, had submitted to Parliament a proposal for the abolition of the Court of the Crown. On the 23rd June he withdrew his proposal, as he said that he did not wish that any action of his should be utilised for private gain. These disclosures resulted in the resignation of Ahmed Pasha Khashaba, Minister of Justice, who was dealt with very severely by the Executive Committee of the Wafd and expelled from the Party. This Committee then reaffirmed its complete confidence in Nahas Pasha, and decided to ask the King to facilitate his task by filling the vacancies caused by the resignation of four Ministers—Ibrahim Pasha Fehmy, Minister of Public Works, had also sent in his resignation. On the 25th June the King sent Nahas Pasha a letter informing him that, as the Cabinet had been formed on the basis of a Coalition, and this had been gravely compromised, he had decided to dismiss him, but at the same time he thanked him for his services to the country.

It is said that Sarwat Pasha was offered the Premiership which he refused, and ultimately the King sent for Mohamad Mahmood Pasha and charged him with the formation of a Cabinet. Mohamad Mahmood has thus realised his ambition of becoming Prime Minister of Egypt, a position he had long coveted. On the 26th June the Wafd issued a manifesto to the nation to the effect that enemies were again at work conspiring against its rights and liberties. Though the document appealed to the nation to remain calm it was couched in terms calculated to excite feeling.

The allegations made against Nahas Pasha, Wasef and Fakhry Beys will evidently be fully investigated, as the Procureur-Général has opened an enquiry against the newspapers which published the documents reflecting on Nahas and his colleagues, whilst actions for libel have been brought against the newspapers which published the Seif-al-Din documents.

The matter is one which concerns the King and his people. Happily there are no foreign interests at stake which call for intervention or the offer of any advice on the part of Great Britain.

On the 28th June, at the request of the Prime Minister, the King prorogued Parliament for a month. The decree of prorogation was read in the Chamber in the evening and was received in profound silence, but when Nahas Pasha entered and left the House he was enthusiastically cheered by the Wafdist Deputies.

For the moment Egypt is at peace, and there is a premeditated lull in the open efforts of Egyptian politicians to frustrate Great Britain in carrying out her obligations. Secretly they are doing all they can to destroy British trade with Egypt, which is on the decline, and promises to dwindle to insignifi-

cant proportions. The Government Departments are placing their orders elsewhere, and the High Commissioner has no power to check this tendency, which is of a purely political nature. It is very questionable whether, had a political agreement been come to, this condition of affairs would have been changed, as the average Egyptian is very acquisitive, and will always take all he can get and give as little as he can in return. He has very settled ideas about commissions, and looks upon them as of much more importance than either workmanship or quality. If he can score off Great Britain and incidentally fill his own pocket, he feels that he is a patriot indeed.

It is not possible to be optimistic about any rational solution of the Egyptian problem. The future generation, the students and schoolboys, have been led astray. They are the men of the future, and they have no one to guide them. At least three generations must pass before a change of their views can reasonably be expected. Egypt lacks a great leader, and the demagogue prevails, and so long as this is so, Great Britain must anticipate the recurrence of political instability. The great asset of Great Britain in Egypt is Lord Lloyd, whose position must be strengthened. He must be given an absolutely free scope for the exercise of those powers of mind with which he has been so liberally endowed, and allowed to cope with the difficulties which are inherent to his task. It is impossible for the Foreign Office to understand Egyptian psychology, and its mission should be to support, rather than direct, the man on the spot, who has, in the opinion of the British and foreign communities in Egypt and even of the Egyptians themselves, all the requisite qualities for dealing with the situation.

## CHAPTER XXV

### EGYPT'S LIMITATIONS AS A NATION

FROM the eighteenth century onwards the position of Egypt from the point of view of International Law has been singularly complicated and exceptional. One might almost say that she has been outside the common law of nations. Writers on International Law, whilst recognising her position as being peculiar and abnormal, have made no attempt to define or explain her political and juridical status. She has always been a country where the exception predominated the rule. Formerly she was merely a province of the Ottoman Empire, and as such was saddled with the Capitulations regarding foreigners which prevailed in Turkey. It was only in 1840, after the revolt of Mohamad Ali, the founder of the reigning dynasty, that Egypt, owing to the intervention of Europe, succeeded in obtaining a relative degree of autonomy. On the 15th July, 1840, a convention was signed in London between Turkey and the Powers by which the Sultan bound himself to accord to Egypt a certain degree of self-government, and to grant to Mohamad Ali and his heirs an hereditary right of succession in the Pashalik. These rights were never clearly defined, but it would appear that the intervention of the Sultan in the internal affairs of Egypt was subjected to the arbitrament of the Powers. It was, however, stipulated that Egypt should remain under the sovereignty of the Porte ; that she should pay tribute to the Sultan ; that her military forces should form part of

the military forces of the Ottoman Empire ; that all treaties and laws of that Empire should also apply to Egypt ; that her money should be minted in the name of the Sultan ; that the Egyptian flags should be the same as those of the Imperial armies ; that the badges of the officers of the two armies should be the same ; and that taxes should be collected in the name of the Sultan. This state of affairs continued until the Khedive Ismail, by payment of large sums of money to the Sultan and his corrupt entourage, succeeded in obtaining almost complete autonomy for Egypt. He was at the same time accorded absolute freedom to treat with the Powers and given the right to contract loans.

We must now examine the restrictions, outside her suzerainty to Turkey, to which Egyptian independence was subjected. First in order of importance come the Capitulations, which had been inherited by the Turks from the Byzantine Empire and passed on to Egypt. They were originally introduced to enable foreigners to reside and carry on business with safety to life and property within the Ottoman Empire. Turkey needed the Europeans for purposes of trade, but none were willing to settle within her borders for that object unless they were immune from the oppression and caprice of her rulers. They were exempted from taxation, and were amenable only to the laws of their own countries, and for any criminal offence they were tried by their own Courts.

There is no doubt that in many ways the Capitulations press very hardly on Egypt, especially in regard to the smuggling of hasheesh, cocaine, heroin and other noxious drugs for which the penalties that can be imposed on Europeans are neither adequate nor deterrent. At the same time defects of this

kind can be remedied by legislation emanating from the Mixed Courts. The foreigner, too, in virtue of the Capitulations, escapes most of the local taxation, which makes it very difficult for the Egyptian Government to impose taxes on the native from which the foreigner is exempt. On the other hand, the Capitulations afford the foreigner that security without which he would not be able either to reside or carry on business in Egypt, where his presence is absolutely essential to the well-being and prosperity of the country. There is nothing to indicate in the recent history of Egypt that any of the Powers would be well advised to surrender any of the privileges of their nationals to an administration that is scarcely resisting the pressure of a party which has been revolutionary in the past and which seems at present inclined to indulge in very dangerous legislative experiments. Any political effervescence in Egypt at once becomes anti-European, and the foreign Consuls, after the riots at Alexandria on the 14th June, 1921, said they would never consent to their nationals being protected by a force exclusively Egyptian. The French Consul pointed out that in the time of Arabi, the French and other nationals were left unprotected, and they required the assurance that Great Britain or some other Power should be there to protect them. This shows how strong and how right is the feeling amongst Europeans against giving up any of the privileges which they enjoy. They even go further than this, and say they must have the protection of Great Britain or some other Power in addition to the Capitulations, which implies an Army of Occupation. The Egyptians have never failed at any crisis in their history to show how little they can be.



After the ratification of the Treaty of Versailles, negotiations were opened by Great Britain for the transfer to her of the rights of the capitulatory Powers as soon as sufficient progress had been made in the preparation of a new judicial system to replace that in existence. The Egyptians at that time desired the maintenance of the Capitulations, and they had their way. Now they wish to raise the question at Geneva, but they would be well advised to remember that the Powers who sooner or later will be requested to agree with their demands will consider them from a practical, rather than an abstract, standpoint. It would be an extreme act of folly to interfere in any way with the Capitulations, but the Egyptians are counting, perhaps not unjustifiably, that British Cabinets invariably yield to clamour. But should the abolition of the Capitulations ever be seriously entertained, the shouting will not be on the Egyptian side alone. In spite of their manifest drawbacks, the safeguards which they present far outweigh any of the evils which can be attributed to the continuation of their existence.

The next encroachment on the independence of Egypt was the concession given to Monsieur de Lesseps by Saïd Pasha for the Suez Canal, which was opened by the Khedive Ismail in 1869. Napoleon said that Egypt was the most important country in the world—not for the Egyptians, but from a military point of view for the Power which possessed her. He made that statement before the Suez Canal existed, and it has increased the importance of Egypt a hundredfold. The free use of the Canal, which was stipulated in Monsieur de Lesseps' concessions, was recognised by the Convention of Constantinople on the 29th October, 1888. It was declared to be neutral and open at any time to the

vessels of war and merchandise of all nations. Prior to 1882, the Powers were engaged in discussing measures for an international supervision to assure the maintenance of its neutrality. The British occupation of Egypt, which was necessitated by the revolt of Arabi Pasha and his followers against their ruler, and which brought about a state of affairs in Egypt which Europe, in the interest of the Egyptians themselves, could not tolerate or acquiesce in, settled the matter. Europe counted on the disinterestedness of Great Britain for the respect of the neutrality of the Canal, a circumstance which to-day the Egyptian Government appears to have forgotten.

The Canal turned Egypt into a corridor country. She became the highway between East and West and the neck of the British Empire. Out of a population of 400,000,000 of His Majesty's subjects, 300,000,000 are east of Suez, and over 1,000,000 troops from Australia, India and New Zealand had to pass through Egypt during the war. Most people recognise that we must hold the Canal, but some think that we can evacuate Egypt provided we keep it open. But it would be quite impossible to garrison or maintain the Suez Canal for forty-eight hours unless we were in control of the Nile at Cairo. Neither Suez nor Port Said can exist unless the water diverted from the Nile in the neighbourhood of Cairo enters the fresh-water canal that runs alongside the salt-water Suez Canal. And those who suggest that all you have to do is to hold the Suez Canal as the highway of the nations of the world, and then retire from Egypt, are ignorant of the fundamental fact that the Suez Canal cannot be detached from Egypt, and can only be controlled by whoever is master of that country. The question of Egypt, the question of the Sudan, and the question of the Canal

form an organic and indissoluble whole. They cannot be separated so long as there is a British Empire, to the maintenance of which they are a cardinal necessity.

The Suez Canal brought in its train a host of international institutions, among which may be mentioned the Quarantine Board, which deals with all the quarantine regulations in her ports. It was felt that Egyptians could not be sufficiently trusted to carry them out in such a way as would inspire the confidence of the civilised world.

In 1876 Ismail, by the institution of the Mixed Courts, placed the administration of justice largely in foreign hands, and limited the jurisdiction of the Native Courts to cases in which Egyptians alone were concerned. They have now been in existence for over fifty years, and have earned the respect and confidence of Egypt's cosmopolitan population. As in nearly every big civil suit there is a foreign interest involved, they try nearly all the important cases in the country. It has been suggested that they should absorb the criminal jurisdiction of the Consular Courts of the Powers. But there are many difficulties in the way. The Mixed Court Judges have no experience of criminal matters. They are first and last Civil Judges. Then again would arise the question of juries, and probably also the putting into force of the Latin criminal law, where a prisoner is treated as though he were guilty until he has proved himself innocent. This would be repugnant to every Englishman. There is really no crying necessity that it should be done, but to command the support, and that possibly only lukewarm, of the British community, the English criminal law would have to be introduced, with experienced English Judges to administer it. Even

then no Englishman would agree, unless there was a right of appeal to the Privy Council. It is very dangerous to meddle with legal institutions, which have on the whole proved adequate for their purpose.

The Egyptian Government has recently wished to move the Court of Appeal to Cairo. When the Mixed Courts came into being Alexandria was selected as the seat of the Court of Appeal because it was the commercial capital of Egypt and far removed from the contagion of the political atmosphere of Cairo. After fifty years, these reasons still hold good, and the question, whenever mooted, should at all times be resisted as being an attempt to undermine the authority of the Courts. Another idea is that the Presidents and Vice-Presidents should be Egyptians. Such a change would be productive of nothing but harm. It would lead to friction, loss of prestige and bad administration, and should not on any account be accepted by the Powers. The Native Courts, from whom these Presidents and Vice-Presidents would be drawn, and from whom at one time great things were hoped, including the probability of their eventually taking over the jurisdiction of the Mixed Courts, have, with the disappearance of British supervision and the departure of the English Judges from the Bench of the Court of Appeal, fallen from their high estate. A recent message to *The Times* states :

“ For some time now assaults on European ladies by Egyptian servants have been growing in frequency, and the Courts have been awarding penalties quite incommensurate with the gravity of the offences. Recently the Residency, acting in defence of foreign interests, drew the attention of the Egyptian Government to this unsatisfactory state of affairs, and asked that steps be taken to ensure

proper deterrent penalties. It should be explained that the minimum penalty for rape or attempted rape of adult women is fifteen years' penal servitude—in the case of girls under age it is life—and the Code specially lays down that the higher penalties should be awarded when servants assault their mistresses. In a recent case of this latter kind, the sentence was three years.

"I understand that the Egyptian Government immediately brought the matter before the President of the Court of Appeal, who conferred with the Judges. Meanwhile a very bad case of assault against an Italian woman occurred, and the Italian Legation made strong representations to the Egyptian Government. This combined action appears to have had the necessary effect, for the Native Court of Assize has in the past two days inflicted a sentence of twelve years on a servant for assault of an Italian woman, and one year and fifty lashes on a policeman for assault of an English-woman."

This speaks for itself.

We have seen how Ismail purchased from the Porte the right to contract loans. His prodigality, wasteful extravagance and the bad administration of his Government soon compelled him to avail himself of the power. He crippled the finances of his country and brought Egypt to the verge of bankruptcy, from which it was only rescued by the administrative powers and financial genius of Lord Cromer. Prior to his régime, the Caisse de la Dette had been established by the Law of Liquidation of the 17th July, 1880, the Commissioners being charged with the duty of seeing that the interest was paid on the Public Debt of Egypt. They were in many respects like trustees in bankruptcy, and are still functioning in 1928.

Of all the writers on International Law, Oppenheim, in the 3rd Edition of his work, has perhaps given the most concise and clear definition of what constitutes sovereignty. He says :

“Sovereignty is supreme authority, an authority which is independent of any other earthly authority. Sovereignty in the strict and narrowest sense of the term implies, therefore, independence all round, within and without the borders of the country.”

We must now examine the various steps taken by Great Britain to secure independence for Egypt. The first of these was the Declaration signed in London on the 8th April, 1904, by which France declared that she would not obstruct the action of Great Britain in that country by asking that a limit of time should be fixed for the British Occupation or in any other manner. This Declaration removed many of the difficulties which had stood in the way of England preparing the road for those reforms which were essential for the ultimate establishment of Egyptian independence. At the same time it must be observed that the Egyptians, who have no political vision, did their utmost to frustrate the very reforms which were introduced for the attainment of that object.

On the 18th December, 1914, Great Britain proclaimed a Protectorate over Egypt, thereby ridding her of the suzerainty of Turkey. This was followed up in 1919 by the despatch of the Milner Mission to Egypt, which recommended the independence of Egypt, coupled with a Treaty of Alliance between the two countries by which the special interests of Great Britain and of foreigners would be safeguarded and by which Egypt would be secured from any aggression outside her borders. It also

included the suppression of the International Institutions which had sprung up. The scheme was in every way most advantageous to the Egyptians, and was consonant with the dignity of both countries. The vanity and shortsightedness of Egyptian politicians caused its rejection. On the 28th February, 1922, Great Britain declared that the British Protectorate over Egypt was terminated, and that she was an independent sovereign state, but four points were reserved for future settlement. This Zaghlul Pasha and his followers refused to accept.

The four points reserved are :

(1) The security of the communications of the British Empire in Egypt, notably the Suez Canal. (2) The defence of Egypt against all foreign aggression or interference direct or indirect. (3) The protection of foreign interests in Egypt and the protection of minorities. (4) The Sudan. Pending the conclusion of an agreement the *status quo* in all these matters remains intact.

Great Britain has at all times showed her readiness to come to an agreement, but no reciprocal effort has been manifested by the Egyptians to achieve that end, thereby only proving once more that they are unworthy of the efforts, which have been consistently made by Great Britain, to turn their country into a self-respecting independent state, which might in time acquire the confidence of the civilised world.

It will be seen from what has been already said that no British Cabinet, however feeble and inept, can afford to overlook the necessity of maintaining the communications of the Empire in Egypt ; and the Powers look to Great Britain for the maintenance of the neutrality of the Suez Canal and the protection

of their interests. The defence of Egypt against all aggression from without is an onerous task which Egypt is incapable of undertaking. If she was left to stand alone, she could neither protect her long frontier line against external aggression, nor guarantee a strong and impartial government at home. Her geographical position at the gate of Palestine, at the doorway of Africa, and on the high-road to India renders it impossible that the British Empire, with any regard to its own security and connections, should wash its hands of responsibility for Egypt. That country is of course primarily an Egyptian interest, and its good government and the prosperity and happiness of its people are the first concern ; but it is also a British interest of capital importance. There are few that would deny that it is a world interest, and that the world interest is best secured by having Egypt under the ægis of a great civilised Power, and that that interest would be probably best served by her entry into the Commonwealth of Nations under the British Flag.

The third of the reserved points is the protection of foreign interests. That incontestably gives the British Government, through its High Commissioner, a right of interference in every Department of State. There is not one of them in which foreign interests are not involved. The Ministry of Finance is brought in close touch with the interests of foreign companies which are established in Egypt, and which require equitable and businesslike decisions in matters which they submit to the Government. European landowners and land companies depend upon the Public Works for their water supply at proper seasons. The Survey Department must be kept at a very high state of efficiency to protect Europeans from having portions of their land filched



from them by neighbouring Egyptian owners. The Customs must be properly administered, as nearly all the export and import trade of the country is in European hands. The Coast-guards and Frontier Force Administrations must be kept up to the mark to prevent the entry into Egypt of undesirable persons and things. The Courts must administer justice in crimes committed against Europeans. All these things are within the scope of the High Commissioner, and he must have a limited number of carefully selected Englishmen in every Department of State to enable him to carry out those duties of protection with which he is entrusted, otherwise his task is well-nigh impossible.

With regard to the Sudan, it may be said that the Sudan is Egypt and Egypt is the Sudan. The one complements the other, and they must both be under one control, and that control in the interest of the world's peace must be British.

It has been shown how Egypt, through the incapacity of her rulers and her people, gradually lost any independence which she had from time to time acquired; how the British struggled through long years to restore it to her; how the Egyptians frustrated all their efforts; how, as long as her destinies are controlled by politicians who were evidently not born to be hanged, she is more likely to be shorn of that which has been given her by the generosity of Great Britain, than to acquire it in its largest extent. Egyptian independence is the result of a unilateral declaration on the part of Great Britain, and is liable to revocation at any time such a course may be deemed necessary in the general interest. Her present international status is that of a client State.

In conclusion, I opine that it does not appear to

be a matter of great moment to Great Britain whether the Egyptians come to an agreement on the reserved points. It is a matter which is of much more interest to them than of practical importance to the British Empire. Should they decide not to come to an agreement, then the *status quo* will be maintained, and Lord Lloyd, to whom a free hand will, of course, be given, can be relied upon to see that the four reserved points are strictly observed both in the spirit and in the letter.

On July 19, 1928, just as these pages were going to press, a Royal Decree was published suspending Parliament for three years. This drastic measure was received by the Egyptian people with calm, there was no disturbance of public order, and it only elicited a weak and futile protest from the Wafd. Thus, by a stroke of the pen, Constitutional Government in Egypt vanished into thin air.

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